



State of Nebraska
Department of Roads

Transportation Alternatives Program Final Application

1.	LOCAL PUBLIC AGENCY NAME: TYPE OF GOVERNMENT AGENCY (Check One): <input type="checkbox"/> Village <input checked="" type="checkbox"/> City <input type="checkbox"/> County <input type="checkbox"/> NRD <input type="checkbox"/> State <input type="checkbox"/> Other City of Milford, Nebraska			
2.	PROJECT LIAISON: Jeanne Hoggins		FAX NUMBER: 402-761-2734	
	MAILING ADDRESS: (Street) 505 1 st Street	CITY: Milford	STATE: NE	ZIP: 68405-0013
	DAYTIME PHONE: 402-761-3247		E-MAIL: cityofmilford@windstream.net	
3.	PROJECT LIAISON SIGNATURE 		DATE: 2-29-2016	
4.	LOCAL PUBLIC AGENCY: (Print Name & Title) Dean A. Bruha, Mayor		SIGNATURE 	DATE: 2/29/2016
5.	PROJECT TYPE: (Indicate which project category(ies) your project meets) A, B, and D			
6.	IS THIS PROJECT PART OF AN MPO (MAPA OR LCLC)? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		IF YES, HAVE YOU APPLIED FOR T.A. FUNDING FROM THE MPO? (Answer and please provide outcome of funding application)	
7.	PROJECT NAME: Milford Trail Phase I Project - Southeast Community College to Welch Park			
8.	TOTAL ESTIMATED PROJECT COST: \$1,672,699	FEDERAL FUNDS REQUESTED: \$1,338,159	LOCAL FUNDS PROVIDED BY: \$334,540	PERCENTAGE OF MATCH: (Minimum 20% of total) 20%
9.	PROJECT DESCRIPTION/LOCATION: (Include detailed project description and location, work to be performed, and purpose and need of project.) <p>In 2014, the city of Milford, Nebraska commissioned the Milford Trails Master Plan for the eventual development of a non-motorized, off-street trail system that interconnects residents with the civic amenities that they access on a regular basis. The Master Plan also outlined proposed routes for future connections to regional trails and neighboring communities.</p> <p>Due to the enormous cost associated with trails development (design, construction, land acquisition / easement, and other factors or limitation), the Master Plan provided for the phased implementation of the future Milford Trails System. Each of the Plan's five (5) phases carefully evaluated such factors as proposed alignment, construction cost, definitive start and end points, public safety, interconnectivity of civic amenities, design features, environmental impact, potential usage, land availability, future land use, and ease of access to regional trail networks. With that information, a set of project prioritization criteria was established to coordinate the long-term phasing plan for the future trail system.</p> <p>The highest prioritized trail segment, according to the Master Plan, is Phase I which includes the design and construction of a 8,885 linear foot (LF) trail that spans the community is a predominately east-west alignment. The proposed 10' wide, 6" thick concrete trail will begin at the Southeast Community College – Milford Campus in the southeast corner of the community; cross U.S. Highway 6 and traverses northbound along Elm Avenue until it reaches 1st Street. At 1st Street, the alignment will turn westbound towards the downtown area. At B Street, the trail will "T". The south leg of the trail will provide users</p>			

	<p>access to Uptown Park a block and an half off away. The trail along 1st Street will continue westbound as it passes through a residential neighborhood, by Crestview Care Center and the Milford Elementary School until it reaches the end of the phase at the consession stand/restroom building at Welch Park. East of the Elementary School, the trail will once again, “T”. This northbound spur will traverse between the Elementary School and the Care Center until it reaches Linden Avenue where it will turn east. The trail will then head eastbound and connect to existing sidewalks that serves a residential neighborhood.</p> <p>This proposed phase of the trail will deliver the greatest benefit to the public and will be made available for use by all individuals, free of charge, regardless of race, sex, age, and level of functioning.</p>
10.	<p>IDENTIFY CONNECTIONS TO OTHER MODES OF TRANSPORTATION: (ex: existing trail systems, public transportation)</p> <p>The 2014 Milford Trails Master Plan gave special consideration to trail alignments that would effectively connected trail users to other modes of transportation in the community. To illustrate, the proposed Milford Trail Phase I Project will provide older adults with safe, offstreet access from their place of residence, employment, or the Milford Senior Citizens Center to Crestview Care Center where they can access the Senior Shuttle. The Senior Shuttle offers public transportation to older adults anywhere within the community, and for special day trips, outside of Milford.</p> <p>Furthermore, in the four (4) subsequent phases identified in the Milford Master Plan calls for a trail to be built between the Milford High School and South Park (Phase 2); from U.S. Highway 6 to the Milford Golf Course (Phase 3); from Southeast Community College across the creek to 238th Road (Phase 4); and finally, a trail that connects Camp Easter Seal, Riverside Recreation Area, and a regional trail that lead to neighboring communities (Phase 5). These communities include, but are not limited to: Pleasant Dale and Lincoln to the east, Seward to the north, Friend to the west, and Crete to the south. These four (4) phases will be built in the future.</p>
11.	<p>IDENTIFY CONNECTIONS TO LOCAL COMMUNITY RESOURCES: (ex: recreational centers, library, park, grocery store, hospital, etc)</p> <p>The proposed trail will provide a safe, alternative, non-motorized mode of transportation to civic destinations used by Milford residents on a routine basis. These include places of employment, educational facilities, religious establishments, medical facilities, financial institutions, public buildings, commercial establishments, and recreation locations. Specifically, this trail alignment will interconnect:</p> <ol style="list-style-type: none"> 1. Southeast Community College – Milford Campus, 2. Pace Yourself Wellness Center, 3. Milford Downtown Business District, 4. Milford City Hall, 5. Milford Senior Citizens Center, 6. Uptown Park and Welch Park, 7. U.S. Post Office, 8. Milford Public Schools (Elementary and High School), 9. Crestview Care Center, and 10. Numerous residential neighborhoods.

12.	<p>IDENTIFY HOW PROJECT ENHANCES AESTHETIC OR VISUAL CHARACTER OF SITE:</p>	<p>The 2014 Milford Trail Master Plan recommended various design features to enhance the aesthetic or visual character of the Milford Trails System, including but not limited to the following:</p> <ul style="list-style-type: none"> • Appropriate design widths and trail surfaces. Trails should be made of concrete and eight- to ten-feet in width, particularly within the city limits. If the trail alignment is within three-feet of the back of curb line, the area should be paved with a colored stamped concrete. This will not only delineate the area from the trail but it will make it easy to maintain and aesthetically pleasing. • Environmentally-sensitive design. Trail alignment should respect existing landscapes, provide positive drainage, use native plants, and enhance degraded natural resources. Every effort should be made to avoid removal of healthy mature trees. If a mature tree is removed, the city of Milford will replace that tree with a new tree planted on the same property, where possible. Smaller trees that are able to be relocated will likely be moved to facilitate trail construction. • Use of retaining walls. Any retaining walls needed along trail alignments should use modular block construction, or if cast in place, a form liner may be used to create a more decorative look to the wall. • Proper signage. Trails will be equipped with directional, mileage marker, and regulatory signage to help orient trail users and inform them about trail guidelines, distances, and location. Interpretive signage will feature cultural, environmental, and historic information of the community and surrounding area. • Safety and security features. Where needed use structural and non-structural features to delineate between trail and adjacent neighbors. These features include vegetative buffers and fencing. • Trail features. Trails will be equipped with benches, kiosks, and garbage cans. These trail features will be funded locally. • Self-policing. Residents will be encouraged to pick up trash and report suspicious behavior along trail. 																										
13.	<p>IDENTIFY IF THIS PROJECT IS PART OF AN OFFICIAL PLANNING DOCUMENT: <i>(attach any applicable feasibility or comprehensive transportation studies)</i></p>	<p>The proposed Milford Trail Phase I Project is an integral component of the following planning documents for the city of Milford, Nebraska:</p> <ol style="list-style-type: none"> 1. 2014 Milford Trail Master Plan, and 2. 2007 Milford Comprehensive Development Plan. 																										
14.	<p>THIS PROJECT IS SUPPORTED BY: <i>(attach any support letters)</i></p>	<p>NDOR District Engineer Thomas W. Goodbarn, P.E. Milford Public Schools Upper Big Blue Natural Resources District Southeast Community College - Milford Campus Director Milford Senior Center Milford Kiwanis Local Business Community such as Milford Physical Therapy, Rediger Automotive, and Insure Nebraska Residents such as Sheryl Piening Keller, Robert & Nora Ficke, Ruth Fosler, and Roger and Rosalie Huss.</p>																										
15.	<p>IF PROJECT FALLS UNDER THE SAFE ROUTES TO SCHOOL PROJECT CATEGORY, COMPLETE THE FOLLOWING SECTION:</p> <p>a) IDENTIFY SCHOOL DEMOGRAPHICS</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 55%;">Name of School:</td><td>Milford Elementary School</td></tr> <tr> <td>School Grade Level:</td><td>PK thru 6</td></tr> <tr> <td>School Enrollment Data:</td><td>355</td></tr> <tr> <td>Distant Eligibility for Riding a Bus (radius) in Miles</td><td>Student must live outside city limits</td></tr> <tr> <td>Number of Students who are Eligible for Busing</td><td>193</td></tr> <tr> <td>Number of Students Living within Two Miles of School</td><td>17</td></tr> <tr><td colspan="2"> </td></tr> <tr> <td>Name of School:</td><td>Milford Middle School</td></tr> <tr> <td>School Grade Level:</td><td>7-8</td></tr> <tr> <td>School Enrollment Data:</td><td>103</td></tr> <tr> <td>Distant Eligibility for Riding a Bus (radius) in Miles</td><td>Student must live outside city limits</td></tr> <tr> <td>Number of Students who are Eligible for Busing</td><td>103</td></tr> <tr> <td>Number of Students Living within Two Miles of School</td><td>2</td></tr> </table>		Name of School:	Milford Elementary School	School Grade Level:	PK thru 6	School Enrollment Data:	355	Distant Eligibility for Riding a Bus (radius) in Miles	Student must live outside city limits	Number of Students who are Eligible for Busing	193	Number of Students Living within Two Miles of School	17			Name of School:	Milford Middle School	School Grade Level:	7-8	School Enrollment Data:	103	Distant Eligibility for Riding a Bus (radius) in Miles	Student must live outside city limits	Number of Students who are Eligible for Busing	103	Number of Students Living within Two Miles of School	2
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b) ADDRESS THE 5 E'S OF A COMPREHENSIVE SAFE ROUTES TO SCHOOL PROGRAM:

Engineering: The proposed project will provide a safe, alternative, non-motorized mode of transportation for students to walk or bike to school from their place of residence. This phase will include the design and construction of a 8,885 linear foot (LF) trail that spans the community is a predominately east-west alignment. The proposed 10' wide, 6" thick concrete trail will begin at the Southeast Community College – Milford Campus in the southeast corner of the community and end at at the consession stand/restroom building at Welch Park. Along the alignment, the trail passes by the Milford Elementary School.

East of the Elementary School, the trail will “T”. This spur will traverse northbound between the Elementary School and the Care Center until it reaches Linden Avenue where it will turn east. The trail will then head eastbound and connect to existing sidewalks that serves a residential neighborhood.

As noted on the site visit was a few driveways that were shorter where a vehicle could block the new sidewalk. During design the best location for the sidewalk would be evaluated so that it minimized the impacts to the driveways. It was further recommended that the trail be placed on the north side of 1st Street as it would eliminate the trail in front of the high school drive way and also have less impact to houses with off street parking stalls.

Education: Each year, the Milford Public Schools issues a Student Handbook which encourages students to walk or bike to school. This handbook is discussed with Elementary Students at various times throughout the year and offered to parents online.

Furthermore, the Milford School District has also begin a school wellness initiative that has as its centerpiece finding ways to help students become more physically active. The proposed walking/biking trail will greatly enhance the District’s capacity to help students increase their fitness.

In addition to to these efforts, the Milford PTO will work with the Milford Police Department and local civic organization(s) to sponsor a Bike Safety Program and develop a walk and bike map after the completion of the proposed project. The program will be designed to improve the safety of elementary and middle school students that choose to bike to/from school. Specifically, trained volunteers will inspect student bicycles to make sure they are in proper working order, ensure that helmets are correctly fitted and offer instruction on proper street crossing and other “rules of the road” that are outlined in the Student Handbook.

Encouragement: The Milford Public School District agrees that encouraging more kids to bike and walk to school is a good thing. As a result, they spend an entire section of the Student Handbook to “Getting to/from School Safely.” In fact, the District dedicates an entire section of the Student Handbook to making sure that the streets around the Milford Elementary School are safe for young bikers and walkers. It provides District policies about parking and traffic procedures on and around the Elementary School campus and encourages students to obey rules of the road as they walk or bike to/from school.

The added safety of the off-steet walk way and well-marked street crossings may ease legitimate concerns over the physical safety of the school route. Furthermore, the Bike Safety Program will give parents peace of mind that their student is capable of handling potential traffic dangers, and as a result, parents may permit their students to bike to/from school.

The 2014 Milford Trails Master Plan calls for the eventual construction of an intergrated trails system will provide a safe, alternative, and interconnected walking/biking routes to the Elementary and Middle School from nearly every neighborhood in the community. With every phase new walking/biking routes will be created, thereby improving the safety of students throughout the community.

	<p>Enforcement: As a matter of policy, the Milford Public School has enacted parking and traffic procedures for the safety of students. Traffic signs are posted in front of the Milford Elementary School campus alerting drivers of the speed limit (15 mph), parking zones, student drop off areas, and one way traffic flows. The Milford Police Department patrols the school area on a daily basis with either one or two vehicles to provide traffic enforcement. They set up in a variety of locations around the Elementary, Middle/High School buildings.</p> <p>Students the walk/bike to/from school are required to cross the street at the four corner stop where a crosswalk is painted. According to the Student Handbook, bicyclists that do not to obey all street traffic regulations may have their bike privileges revoked.</p> <p>Evaluation: The city of Milford will use a variety of metrics to determine the effectiveness of proposed project. First, the city will partner with the Milford Public School District to survey schoolchildren on how they get to and from school. Secondly, the city will collect and analyze surveys from parents on knowledge and attitudes towards walking and biking to school. Finally, the city in cooperation with the School District and civic organizations will keeps records as to the number of students participating in the Bike Safety Program.</p>
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Attach the following items:

- Budget (follow sample provided)
- 8 ½ x 11 (or larger) map - include aerial image, project location/alignment, north arrow, street names, points of interest, project termini and proposed connections
- Resolution (includes language regarding matching funds availability and ROW Condemnation) if not already provided
- Dimensioned project typicals shown to meet design requirements (see attached template)
- ADA transition plan and any established larger transportation plan or feasibility study, if available
- Letters of support
- Preliminary Environmental Checklist (see attached form)

CONSTRUCTION COSTS					
	NAME				
Item	Unit	No. Req'd	Unit Cost		Cost
Clearing & Grubbing	Acres	5.1	\$ 2,894.00	\$	14,759
Earthwork (Cut & Fill)	Cu Yd	6,600	\$ 12.00	\$	79,200
Remove Walk	Sq Yd	3119	\$ 10.00	\$	31,186
Remove Curb/Pavement	Sq Yd	102	\$ 12.00	\$	1,227
Large Tree Removal	Each	30	\$ 492.00	\$	14,760
Remove Driveway	Sq Yd	1333	\$ 9.00	\$	12,000
Seeding/Mulch	Acres	3.0	\$ 2,315.00	\$	6,945
Silt Fence (erosion control)	Lin Ft	100	\$ 3.00	\$	300
Erosion Control Matting	Sq Yd	0	\$ 5.00	\$	-
Curb Inlet Sediment Filter	Each	25	\$ 174.00	\$	4,350
4" Concrete Sidewalk - 5 ft wide	Sq Yd	400	\$ 52.00	\$	20,800
6" Concrete Bikeway- 10 ft wide	Sq Yd	9,172	\$ 46.00	\$	421,922
8" Concrete Bikeway- 10 ft wide	Sq Yd	667	\$ 52.00	\$	34,667
8" Driveway replacement	Sq Yd	1,333	\$ 69.00	\$	92,000
Subgrade Preparation	Sq Yd	11,572	\$ 3.00	\$	34,717
Handrail	Lin Ft	0	\$ 162.00	\$	-
Modular Block Retaining Wall (incl base, backfill)	Sq Ft	360	\$ 58.00	\$	20,880
Signage (MUTCD)	Each	10	\$ 232.00	\$	2,320
Detectable Warning Panels	Sq Ft	960	\$ 41.00	\$	39,360
Chain Link Fence remove and relocate	Lin Ft	50	\$ 29.00	\$	1,450
Crosswalk Pavement Marking	Each	1	\$ 2,315.00	\$	2,315
Flashing Beacon for Pedestrian Crossing	Each	2	\$ 8,682.00	\$	17,364
Temporary Traffic Control during Construction	Lump Sum	1	\$ 5,788.00	\$	5,788
Construction Costs Subtotals				\$	858,309
PRIVATE UTILITY RELOCATION COSTS					
Light/Power Pole Relocation	Each	17	\$ 4,052.00	\$	68,884.00
Utility Pedestal Relocation	Each	2	\$ 579.00	\$	1,158.00
Fire Hydrant Relocation	Each	7	\$ 3,473.00	\$	24,311.00
Adjust Sanitary Sewer Manhole to Grade	Each		\$ 868.00	\$	-
Adjust Water Valve Box to Grade	Each	20	\$ 579.00	\$	11,580.00
Utility Relocation Costs Total				\$	105,933.00
Construction & Utility Costs Subtotal				\$	964,242
Mobilization	Lump Sum	1	8%	\$	77,139
Construction Costs Total				\$	1,041,382
ENGINEERING COSTS					
Preliminary Engineering	Lump Sum	1	15%	\$	156,207
NEPA Documents	Lump Sum	1	6%	\$	62,483
Birding Survey	Each	0	\$ 2,500.00	\$	-
Construction Engineering	Lump Sum	1	10%	\$	104,138
NDOR Responsible Charge	Lump Sum	1	\$ 15,000.00	\$	15,000
Contingency	Lump Sum	1	10%	\$	104,138
Engineering Costs Total				\$	441,966
Right of Way Acquisition					
Temporary Easements	Sq Feet	44,275	\$ 0.50	\$	22,138
Acquisition Agent	Tracts	40	\$ 3,750.00	\$	150,000
Contingency	Lump Sum	1	10%	\$	17,214
TOTAL RIGHT OF WAY ACQUISITION				\$	189,351
Total Project Costs (Construction+Utility Relocation+Engineering Costs)				\$	1,672,699
FUNDING SOURCES (6)					
Private Donations	0%			\$	-
NRD	0%			\$	-
City of Milford	20%			\$	334,540
Federal Funding	80%			\$	1,338,159

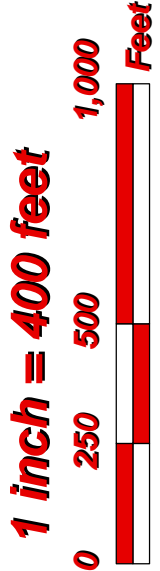
Milford, Nebraska

Attachment 1

Proposed Project

Legend

Trail



Milford, Nebraska

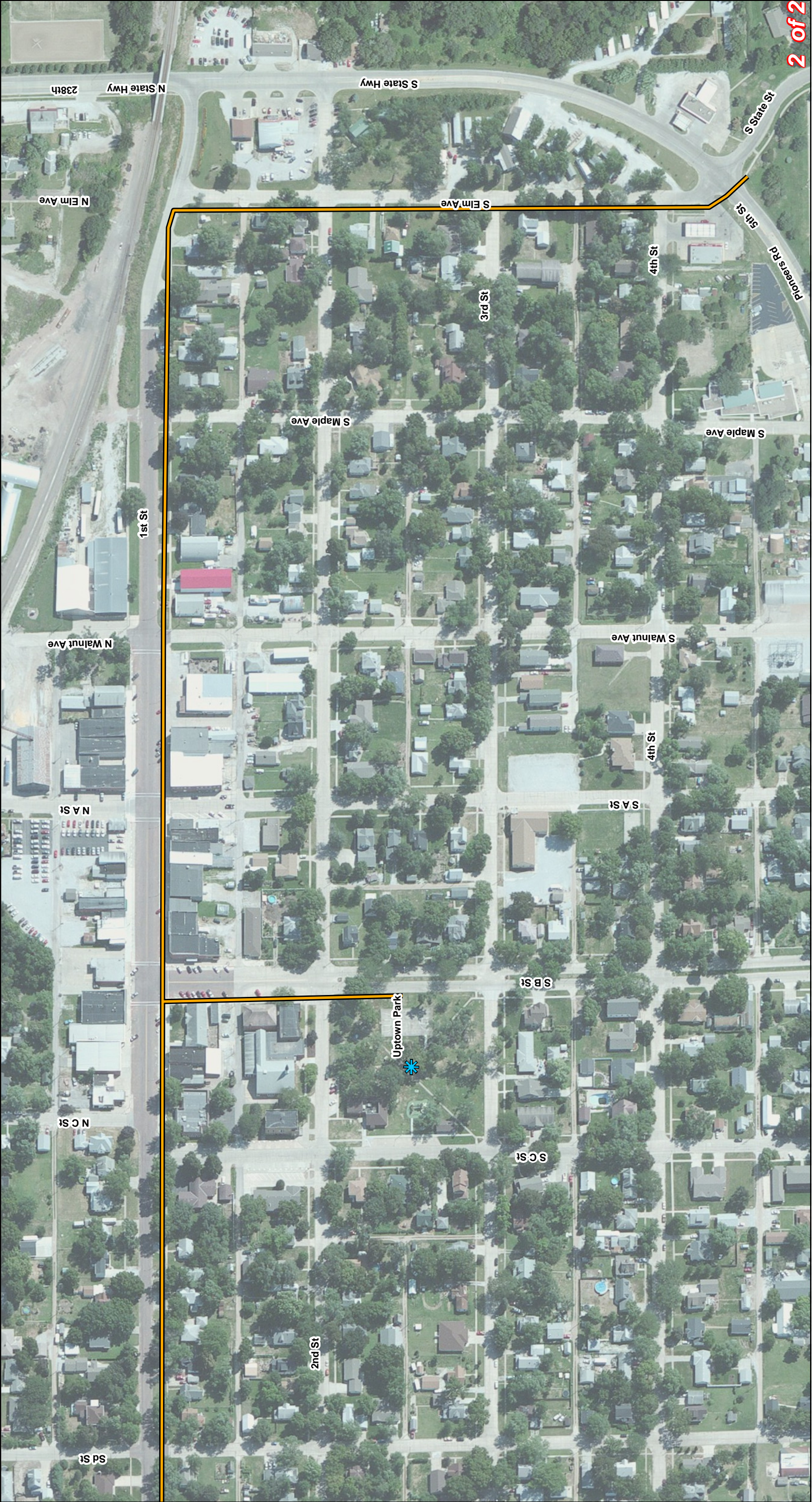
Attachment 1 Proposed Project

Legend

Trail



1 inch = 200 feet



Milford, Nebraska

Attachment 1 Proposed Project

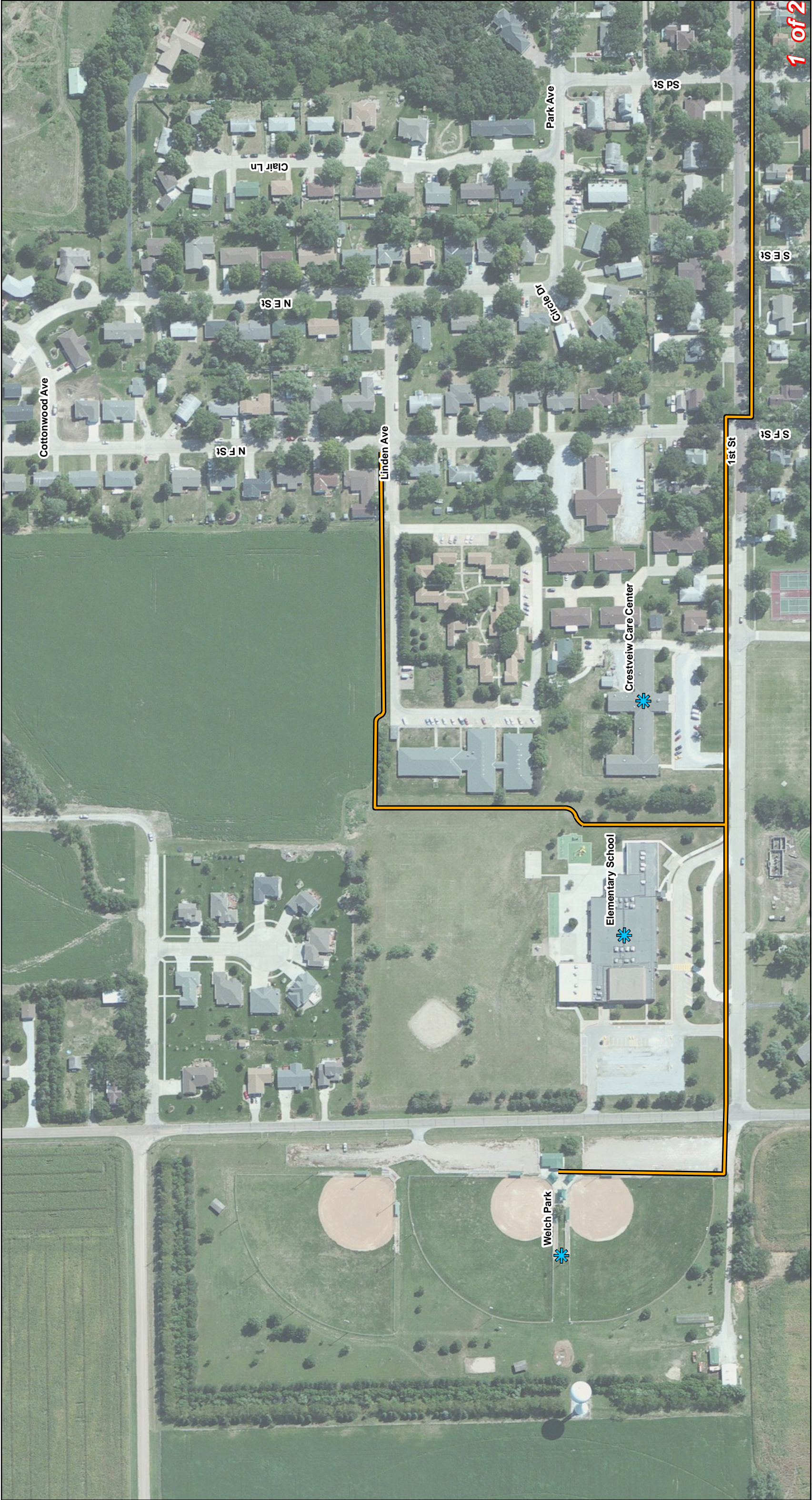
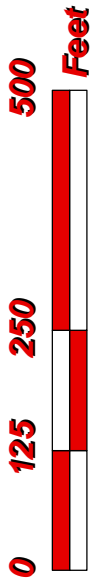
Legend



Trail



1 inch = 200 feet



RESOLUTION NO. 525
LPA'S COMMITMENT TO TRANSPORTATION ALTERNATIVES PROGRAM (TAP)
PROJECT APPLICATION – FEDERAL-AID FUNDING

Whereas: The City of Milford, NE (LPA) is proposing to develop and construct a project for which it would like to obtain Federal-aid Transportation Alternative Program (TAP) funding;

Whereas: The proposed project is briefly described as follows: Phase I of the Milford Master Trail Plan;

Whereas: LPA understands that its proposed project will be compared with other proposed LPA TAP projects and State will rank and select which projects will be eligible for funding;

Whereas: If LPA's project is selected, LPA commits to set aside in its budget a minimum of 20% of the estimated project cost and has the financial capacity to operate and maintain the completed facility in a safe, clean and attractive manner for public use;

Whereas: LPA understands that if any right-of-way is needed for this project, LPA will acquire such right-of-way in compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act and LPA hereby commits to use condemnation to acquire property that cannot be acquired by contract;

Be It Resolved by the Council of the City of Milford, NE that:

This resolution, when signed by the Mayor/Chairperson, is LPA's commitment in the event LPA's project is selected by State, to fund LPA's share of the project, to develop the in accordance with all applicable Federal-aid and State requirements, and to, when necessary, acquire any right-of-way by condemnation when it cannot reasonably acquired by contract..

Adopted this 3rd day of November, 2015 at Milford, Nebraska.

The Council of the City of Milford, NE;

Dean A. Bruha, Mayor
Jeff Baker, President of Council
Jeff Heckman
Rick Fortune
Dan Kral

Roll call vote: Baker yes, Fortune yes, Heckman yes, Kral yes. Motion carried.

Attest:


City Clerk

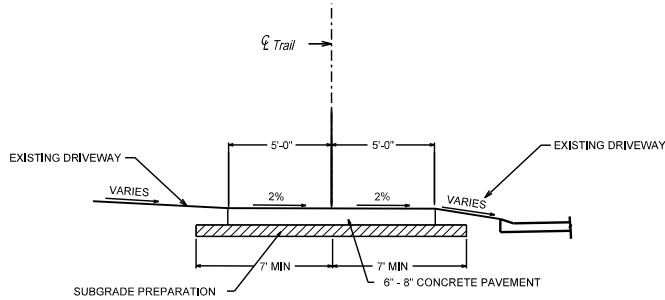
CITY OF MILFORD, NE


Mayor

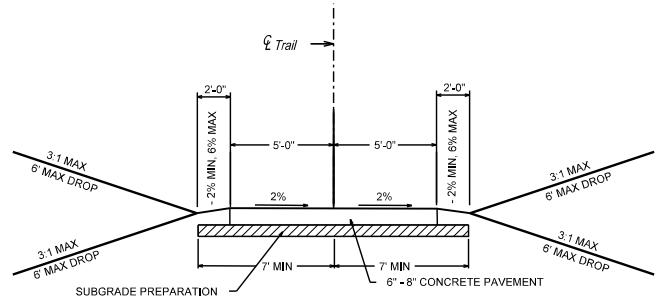
(SEAL)



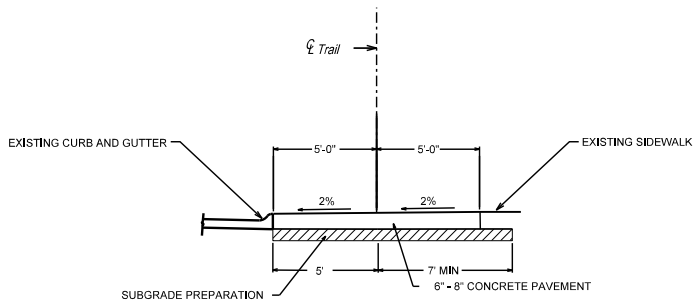
- PROJECT TYPICALS - FOR 10' WIDE BIKING AND WALKING TRAIL



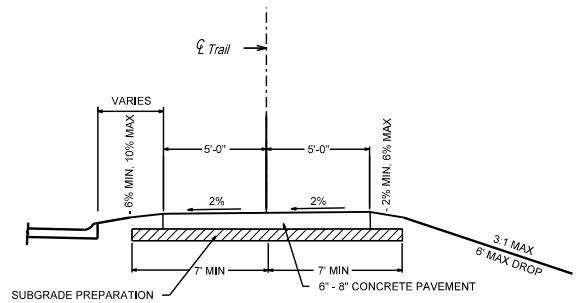
TYPICAL CROSS SECTION
THROUGH DRIVEWAY



TYPICAL CROSS SECTION
OPEN AREA



TYPICAL CROSS SECTION
DOWNTOWN



TYPICAL CROSS SECTION
RESIDENTIAL

- TYPICAL SIGNS - FOR 10' WIDE BIKING AND WALKING TRAIL



D11-1



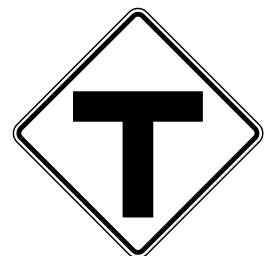
R5-3



R1-1



W11-2



W2-4

TITLE VI
NONDISCRIMINATION AGREEMENT
Nebraska State Department of Roads
And
The City of Milford, NE

Policy Statement

The City of Milford assures that no person shall on the grounds of race, color, national origin, age, disability/handicap or sex, as provided by Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 (P.L. 100.259) be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance. The City of Milford further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not.

The Civil Rights Restoration Act of 1987, broadened the scope of Title VI coverage by expanding the definition of terms "programs or activities" to include all programs or activities of Federal Aid recipients, sub-recipients, and contractors/consultants, whether such programs and activities are federally assisted or not (Public Law 100259 [S.557] March 22, 1988.)

Pursuant to the requirements of Section 504 of the Rehabilitation Act of 1973 (29 USC 794), the City of Milford hereby gives assurance that no qualified disabled person shall, solely by reason of his disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination, including discrimination in employment, under any program or activity that receives or benefits from this Federal financial assistance.

In the event the City of Milford distributes federal aid funds to a sub-recipient, the City of Milford will include Title VI language in all written agreements and will monitor for compliance.

The City of Milford's Mayor, Dean A. Bruha, is responsible for initiating and monitoring Title VI activities, preparing reports and other responsibilities as required by 23 Code of Federal Regulation(CFR) 200 and 49 Code of Federal Regulation 21.

Dean A. Bruha

Name of Responsible Agency Official (Please Print)

Mayor

Title

7/23/13

Date

Title VI Program

Organization and Staffing

Dean A. Bruha, Mayor will serve as the City of Milford's ADA and Section 504 Compliance Coordinator. The Mayor will rely on other key members, including The Planning & Zoning Commission, Maintenance Superintendent Mark Frey, City Attorney Robert Blevens and the Councilmembers for assistance and support in the development, implementation, and monitoring of the City of Milford's Plan.

Standard DOT Assurances

49 CFR Part 21.7

The City of Milford, in the State of Nebraska, hereby gives assurances:

1. That no person shall on the grounds of race, color, national origin, age, disability/handicap and sex, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity conducted by the City of Milford regardless of whether those programs and activities are Federally funded or not. Activities and programs which the City of Milford hereby agrees to carry out in compliance with Title VI and related statutes include but are not limited to:
 - That the City of Milford agrees that each "program" and each "facility as defined in subsections 21.23(e) and 21.23(b) of the Regulations, will be (with regard to a "program") conducted, or will be (with regard to a "facility") operated in compliance with all requirements imposed by, or pursuant to, the Regulations.
 - That the City of Milford shall insert the following notification in all solicitations for bids for work or material subject to the Regulations and in adapted form in all proposals for negotiated agreements, whether Federal-aid will be used or not.
2. The City of Milford, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office the Secretary, Part 21, Nondiscrimination in Federally assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidden that it will affirmatively insure that in any contact entered into pursuant to this advertisement, minority business enterprises will be offered full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin, sex, age and disability/handicap in consideration for an award.
3. That the City of Milford shall insert the clauses of Appendix A of this assurance in every contract subject to the Act and the Regulations.
4. That the City of Milford shall insert the clauses of Appendix B of this assurance, as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements therein, or interest therein.
5. That where the City of Milford receives Federal financial assistance to construct a facility, or part of a facility, the assurance shall extend to the entire facility and facilities operated in connection therewith.
6. That where the City of Milford receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the assurance shall extend to rights to space on, over or under such property.

7. That the City of Milford shall include the appropriate clauses set forth in Appendix C of this assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the City of Milford with other parties: (a) for the subsequent transfer of real property acquired or improved under the Federal Aid Highway Program; and (b) for the construction or use of or access to space on, over or under real property acquired, or improved under the Federal Highway Program.
8. That this assurance obligates the City of Milford for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property or interest therein or structures or improvements thereon, in which case the assurance obligates the City of Milford or any transferee for the longer of the following periods: (a) the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or (b) the period during which the City of Milford retains ownership or possession of the property.
9. The City of Milford shall provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom she/he delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, contractors, subcontractors, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations and this assurance.
10. The City of Milford agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations, and this assurance.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the City of Milford by the U.S. Department of Transportation under the Federal Aid Highway Program and is binding on it, other recipients, sub-recipients, contractors, subcontractors, transferees, successors in interest and other participants in the Federal Aid Highway Program. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the City of Milford.

Implementation Procedures

This agreement shall serve as the City of Milford's Title VI plan pursuant to 23 CFR 200 and 49 CFR 21.

For the purpose of this agreement, "Federal Assistance" shall include:

- 1) grants and loans of Federal funds,
- 2) the grant or donation of Federal property and interest in property,
- 3) the detail of Federal personnel,
- 4) the sale and lease of, and the permission to use (on other than a casual or transient basis), Federal property or any interest in such property without consideration or at a nominal consideration, or at a consideration which is reduced for the purpose of assisting the City of Milford, or in recognition of the public interest to be served by such sale or lease to the City of Milford, and
- 5) any Federal agreement, arrangement, or other contract which has as one of its purposes, the provision of assistance.

The City of Milford shall:

- a) Issue a policy statement, signed by the Mayor of the City of Milford, which expresses its commitment to the nondiscrimination provisions of Title VI. The policy statement shall be circulated throughout the City of Milford's organization and to the general public. Such information shall be published where appropriate in languages other than English.
- b) Take affirmative action to correct any deficiencies found by NDOR or the United States Department of Transportation (USDOT) within a reasonable time period, not to exceed 90 days, in order to implement Title VI compliance in accordance with this agreement. The Mayor of the City of Milford shall be held responsible for implementing Title VI requirements.
- c) Designate a coordinator who has a responsible position in the organization and easy access to the Mayor of the City of Milford. The coordinator shall be responsible for initiating and monitoring Title VI activities and preparing required reports.
- d) Develop and implement a community outreach and public education program.
- e) Process complaints of discrimination consistent with the provisions contained in this agreement. Investigations shall be conducted by civil rights personnel trained in discrimination complaint investigation. Identify each complainant by race, color, national origin or sex, the nature of the complaint, the date the complaint was filed, the date the investigation was completed, the disposition, the date of the disposition, and other pertinent information. A copy of the complaint, together with a copy of the City of Milford's report of investigation, will be forwarded to NDOR's Highway Civil Rights Coordinator within 10 days of the date the complaint was received by the City of Milford.
- f) Collect statistical data (race, color, national origin, sex) of participants in, and beneficiaries of the programs and activities conducted by the City of Milford.
- g) Conduct Title VI reviews of the City of Milford and sub-recipient contractor/consultant program areas and activities. Revise where applicable, policies, procedures and directives to include Title VI requirements.
- h) Conduct training programs on Title VI and related statutes.

- i) Prepare a yearly report of Title VI accomplishments for the last year and goals for the next year.
 - 1) Annual Work Plan
Outline Title VI monitoring and review activities planned for the coming year; state by which each activity will be accomplished and target date for completion.
 - 2) Accomplishment Report
List major accomplishments made regarding Title VI activities. Include instances where Title VI issues were identified and discrimination was prevented. Indicate activities and efforts the Title VI Coordinator and program area personnel have undertaken in monitoring Title VI. Include a description of the scope and conclusions of any special reviews (internal or external) conducted by the Title VI Coordinator. List any major problem(s) identified and corrective action taken. Include a summary and status report on any Title VI complaints filed with the City of Milford. Include a listing of complaints received against sub-recipients, as well as a summary of complaint and actions taken.

Discrimination Complaint Procedures – Allegations of Discrimination in Federally Assisted Programs or Activities

1. Any person who believes that he or she, individually, as a member of any specific class, or in connection with any disadvantaged business enterprise, has been subjected to discrimination prohibited by Title VI of the Civil Rights Act of 1964, the American with Disabilities Act of 1990, Section 504 of the Vocational Rehabilitation Act of 1973 and the Civil Rights Restoration Act of 1987, as amended, may file a complaint with the City of Milford. A complaint may also be filed by a representative on behalf of such a person. All complaints will be referred to the City of Milford's Title VI Coordinator for review and action.
2. In order to have the complaint consideration under this procedure, the complainant must file the complaint no later than 180 days after:
 - a) The date of alleged act of discrimination; or
 - b) Where there has been a continuing course of conduct, the date on which that conduct was discontinued.

In either case, the City of Milford or his/her designee may extend the time for filing or waive the time limit in the interest of justice, specifying in writing the reason for so doing.

3. Complaints shall be in writing and shall be signed by the complainant and/or the complainant's representative. Complaints shall set forth as fully as possible the facts and circumstances surrounding the claimed discrimination. In the event that a person makes a verbal complaint of discrimination to a councilmember or employee of the City of Milford, the person shall be interviewed by the Title VI Coordinator. If necessary, the Title VI Coordinator will assist the person in reducing the complaint to writing and submit the written version of the complaint to the person for signature. The complaint shall then be handled according to the City of Milford's investigative procedures.
4. Within 10 days, the Title VI Coordinator will acknowledge receipt of the allegation, inform the complainant of procedures to be followed, and advise the complainant of other avenues of redress available, such as NDOR and USDOT.
5. The City of Milford will advise NDOR within 10 days of receipt of the allegations. Generally, the following information will be included in every notification to NDOR:
 - a) Name, address, and phone number of the complainant.
 - b) Name(s) and address (es) of alleged discriminating official(s).
 - c) Basis of complaint (i.e., race, color, national origin or sex)
 - d) Date of alleged discriminatory act(s).
 - e) Date of complaint received by the City of Milford.
 - f) A statement of the complaint.
 - g) Other agencies (state, local or Federal) where the complaint has been filed.
 - h) An explanation of the actions the City of Milford has taken or proposed to resolve the issue raised in the complaint.
6. NDOR will forward the complaint to FHWA. FHWA Office of Civil Rights will determine the appropriate individual and/or organization to conduct the investigation.
7. Within 60 days, the Title VI Coordinator will conduct an investigation of the allegation and based on the information obtained, will render a recommendation for action in a report of findings to the head of the City of Milford. The complaint should be resolved by informal means whenever possible. Such informal attempts and their results will be summarized in the report of findings.
8. Within 90 days of receipt of the complaint, the Mayor of the City of Milford will notify the complainant in writing of the final decision reached, including the proposed disposition of the matter. The notification will advise the complainant of his/her appeal rights with NDOR, or USDOT, if they are dissatisfied with the final decision rendered by the City of Milford. The Title VI Coordinator will also provide NDOR with a copy of this decision and summary of findings upon completion of the investigation.

9. Any complaints received against the City of Milford should immediately be forwarded to NDOR for investigation. The City of Milford will not investigate any complaint in which it has been named in the complaint.

10. Contacts for the different Title VI administrative jurisdictions are as follows:

Nebraska Department of Roads
Human Resources, Title VI Program
1500 Highway 2, P.O. Box 94759
Lincoln, NE 68509-4759
(402) 479-4870

Federal Highway Administration
Nebraska Division Office
100 Centennial Mall North
Lincoln, NE 68508
(402)437-5765

Sanctions

In the event the City of Milford fails or refuses to comply with the terms of this agreement, the NDOR may take any or all of the following actions:

- a) Cancel, terminate, or suspend this agreement in whole or in part;
- b) Refrain from extending any further assistance to the City of Milford under the program from which the failure or refusal occurred until satisfactory assurance of future compliance has been received from the City of Milford.
- c) Take such other action that may be deemed appropriate under the circumstances, until compliance or remedial action has been accomplished by the City of Milford.
- d) Refer the case to the Department of Justice for appropriate legal proceedings.

NEBRASKA DEPARTMENT OF ROADS:

Signature

Civil Rights Coordinator

Date

CITY OF MILFORD:

Dean A Bruba
Signature

MAYOR
Title

7/23/2013
Date

APPENDIX A

During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

- (1) **Compliance with Regulations:** The contractor shall comply with the Regulation relative to nondiscrimination in Federally-assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, and the Federal Highway Administration (hereinafter "FHWA") Title 23, Code of Federal Regulations, Part 200 as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
- (2) **Nondiscrimination:** The Contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, or national origin, sex, age, and disability/handicap in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by 49 CFR, section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
- (3) **Solicitations for Subcontractors, Including Procurements of Materials and Equipment:** In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin, sex, age, and disability/handicap.
- (4) **Information and Reports:** The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information and its facilities as may be determined by the Village of Bartley or the FHWA to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information the contractor shall so certify to the City of Milford, or the FHWA as appropriate, and shall set forth what efforts it has made to obtain the information.
- (5) **Sanctions for Noncompliance:** In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, the City of Milford shall impose such contract sanctions as it or the FHWA may determine to be appropriate, including, but not limited to:
 - (a.) withholding of payments to the contractor under the contract until the contractor complies, and/or
 - (b.) cancellation, termination or suspension of the contract, in whole or in part.
- (6) **Incorporation of Provisions:** The contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto.

The contractor shall take such action with respect to any subcontract or procurement as the City of Milford or the FHWA may direct as a means of enforcing such provisions including sanctions for non-compliance: Provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the City of Milford to enter into such litigation to protect the interests of the City of Milford, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

APPENDIX B

- A. The following clauses shall be included in any and all deeds effecting or recording the transfer of real property, structures or improvements thereon, or interest therein from the United States.

(GRANTING CLAUSE)

NOW, THEREFORE, the Department of Transportation, as authorized by law, and upon the condition that the City of Milford will accept title to the lands and maintain the project constructed thereon, in accordance with State of Nebraska Unicameral Legislature, the Regulations for the Administration of the City of Milford and the policies and procedures prescribed by FHWA, also in accordance with and in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation and Title 23 Code of Federal Regulations, Part 200, Title VI Program and Related Statutes (hereinafter referred to as the Regulations) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the City of Milford all the right, title and interest of the Department of Transportation in and to said lands described in Exhibit "A" attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto the City of Milford and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and shall be binding on the City of Milford, its successors and assigns.

The City of Milford, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person shall on the grounds of race, color, or national origin, sex, age, and disability/handicap, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on over or under such lands hereby conveyed [,] [and] (2) that the City of Milford shall use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964, Title 23 Code of Federal Regulations, Part 200, Title VI Program and Related Statutes – Implementation and Review Procedures, and as said Regulations may be amended [,] and (3) that in the event of breach of any of the above-mentioned nondiscrimination conditions, the Department shall have a right to re-enter said lands and facilities on said land, and the above described land and facilities shall thereon revert to and vest in and become the absolute property of the Department of Transportation and its assigns as such interest existed prior to this instruction.*

APPENDIX C

The following clauses shall be included in all deeds, licenses, leases, permits, or similar instruments entered into by the City of Milford pursuant to the provisions of Assurance 6(a).

The (grantee, licensee, lessee, permittee, etc., as appropriate) for himself, his heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this (deed, license, lease, permit, etc.) for a purpose for which a Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964, Title 23 Code of Federal Regulations, Part 200, Title VI Program and Related Statutes – Implementation and Review Procedures, and as said Regulations may be amended.

[Include in licenses, leases, permits, etc.]*

That in the event of breach of any of the above nondiscrimination covenants, the City of Milford shall have the right to terminate the [license, lease, permit, etc.] and to re-enter and repossess said land and the facilities thereon, and hold the same as if said [licenses, lease, permit, etc.] had never been made or issued.

[Include in deed.]*

That in the event of breach of any of the above nondiscrimination covenants, the City of Milford shall have the right to re-enter said lands and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of the City of Milford and its assigns.

The following shall be included in all deeds, licenses, leases, permits, or similar agreements entered into by the City of Milford pursuant to the provisions of Assurance 6(b).

The (grantee, licensee, lessee, permittee, etc., as appropriate) for himself, his personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds, and leases add "as a covenant running with the land") that (1) no person on the ground of race, color, or national origin, sex, age, and disability/handicap, shall be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over or under such land and the furnishing of services thereon, no person on the ground of, race, color, or national origin, sex, age, and disability/handicap, shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) shall use the premises in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act

of 1964), Title 23 Code of Federal Regulations, Part 200, Title VI Program and Related Statutes – Implementation and Review Procedures, and as said Regulations may be amended.

[Include in licenses, leases, permits, etc.]*

That in the event of breach of any of the above nondiscrimination covenants, the City of Milford shall have the right to terminate the [license, lease, permit, etc.] and to re-enter and repossess said land and the facilities thereon, and hold the same as if said [license, lease, permit, etc.] had never been made or issued.

[Include in deeds]*

That in the event of breach of any of the above nondiscrimination covenants, the City of Milford shall have the right to re-enter said land and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of the City of Milford and its assigns.

AMERICANS WITH DISABILITIES PLAN

CITY OF MILFORD

SEWARD COUNTY, NEBRASKA

SECTION 504 -REHABILITATION ACT OF 1973

AMERICANS WITH DISABILITIES ACT OF 1990

JULY 2013

POLICY STATEMENT

The City of Milford will ensure that no qualified disabled individual shall, solely on the basis of his or her disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any of its programs, services, or activities as provided by Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 (ADA). The City of Milford further ensures that every effort will be made to provide nondiscrimination in all of its programs or activities regardless of the funding source. A disabled person is defined as any person who:

- Has a physical or mental impairment that substantially limits one or more major life activities,
- Has a record of such impairment, or
- Is regarded as having such an impairment

AUTHORITIES

Section 504 of the Rehabilitation Act of 1973, as amended, provides that "No otherwise qualified disabled individual in the United States, as defined in section 7(6), shall, solely by reason of his disability, be excluded for the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

29 USC 794 (October 29, 1992 to the Rehabilitation Act of 1973) substitutes "a disability" for "handicaps" and "disability" for "handicap."

49 CFR Part 27.13 (Nondiscrimination on the Basis of Disability in Programs and Activities Receiving or Benefiting from Federal Financial Assistance) states, "This part applies to each recipient of Federal financial assistance from the Department of Transportation and to each program or activity that receives or benefits from such assistance."

49 CFR Part 28.102 (Enforcement of Nondiscrimination on the Basis of Disability in Programs or Activities Conducted by the Department of Transportation) states, "This part applies to all programs or activities conducted by the Department of Transportation except for programs and activities conducted outside the United States that do not involve individuals with disabilities in the United States."

28 CFR Part 35 (Judicial Administration) states that: "The purpose of this part is to effectuate Subtitle A of Title II of the ADA which prohibits discrimination on the basis of disabilities by public entities."

49 CFR Part 27 (Nondiscrimination on the Basis of Disability in Programs and Activities Receiving or Benefiting from Federal Financial Assistance) states, "The purpose of this part is to carry out the intent of Section 504 of the Rehabilitation Act of 1973 (29 USC 794) as amended, to the end that no otherwise qualified disabled individual in the United States shall, solely by reason of his or her disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

49 CFR Part 28-140 (Employment) states that, "(a) No qualified individual with disabilities shall, on the basis of disability, be subjected to discrimination in employment under any program or activity conducted by the Department," and "(b) The definitions, requirements, and procedures of Section 504 of the Rehabilitation Act of 1973 (29 USC 791), as established by the Equal Employment Opportunity Commission in 29 CFR Part 1613, shall apply to employment in federally conducted programs or activities."

29 CFR Part 1613 (Equal Employment Opportunity in the Federal Government) states that: "It is the policy of the Government of the United States...to provide equal opportunity in employment for all persons to prohibit

discrimination in employment because of race, color, religion, sex, or national origin and to promote the full realization of equal employment opportunity through a continuing affirmative program in each agency."

42 USC Part 12101-12213 (The Americans with Disabilities Act of 1990) states that: "No covered entity shall discriminate against a qualified individual with a disability because of the disability of such individual in regard to job application procedures, the hiring, advancement, or discharge of employees, employee compensation, job training, and other terms, conditions, and privileges of employment."

ORGANIZATION

Dean A. Bruha, Mayor will serve as the City of Milford's ADA and Section 504 Compliance Coordinator. The Mayor will rely on other key members, including The Councilmembers, The Planning & Zoning Commission, Maintenance Superintendent Mark Frey and City Attorney Robert Blevens for assistance and support in the development, implementation, and monitoring of the City of Milford's Plan.

SECTION 504/ADA COORDINATOR RESPONSIBILITIES

1. Serve as principal coordinator for ADA programs, policies, and procedures
2. Publicize the contact information of the designated ADA Coordinator
3. Monitor and ensure compliance with ADA/504 and identify shortcomings and develop remedies
4. Coordinate complaint procedures to ensure due process and provide prompt resolutions
5. Conduct annual reviews and prepare annual reports of accomplishments and problem areas
6. Coordinate and conduct training programs and provide assistance to employees
7. Identify, investigate, and eliminate ADA/504 discrimination when found to exist

SECTION 504/ADA NOTICE TO PUBLIC

The City of Milford does not discriminate on the basis of disability in admission of its programs, services, or activities, in access to them, in treatment of individuals with disabilities, or in any aspect of their operations and also does not discriminate on the basis of disability in its hiring or employment practices.

This notice is provided as required by Title II of the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973. Questions, complaints, or requests for additional information or accommodation regarding the ADA and Section 504 may be forwarded to the designated ADA and Section 504 compliance coordinator.

Name and Title: Dean A. Bruha, Mayor

Phone Number: (402) 761-3247

Office Address: 505 First Street, Milford, NE 68405

Days/Hours Available: 8:00 a.m. to 5:00 p.m., Monday through Friday

SECTION 504/ADA SELF-EVALUATION

The City of Milford will complete a self-evaluation by December 31, 2013

SECTION 504/ADA TRANSITION PLAN

This is Not Applicable for the City of Milford

COMPLAINT PROCEDURES

1. In order to have the complaint considered under this procedure, the complainant must file the complaint no later than 60 days after:
 - a) The date of alleged act of discrimination; or
 - b) Where there has been a continuing course of conduct, the date on which that conduct was discontinued.

In either case, the City of Milford may extend the time for filing or waive the time limit in the interest of justice, specifying in writing the reason for so doing.

2. Complaints shall be in writing and shall be signed by the complainant and/or the complainant's representative. Complaints shall set forth as fully as possible the facts and circumstances surrounding the claimed discrimination. In the event that a person makes a verbal complaint of discrimination to an employee of the City of Milford, the person shall be interviewed by the ADA/504 Coordinator. If necessary, the ADA/504 Coordinator will assist the person in reducing the complaint to writing and submit the written version of the complaint to the person for signature. The complaint shall then be handled according to the City of Milford's investigative procedures.
3. Within 15 calendar days, the ADA/504 Coordinator will acknowledge receipt of the allegation and inform the complainant of procedures to be followed.
4. Within 90 calendar days, the ADA/504 Coordinator will conduct an investigation of the allegation and will render a final decision for action in a report of findings. The complaint should be resolved by informal means whenever possible. Such informal attempts and their results will be summarized in the report of findings. The ADA/504 Coordinator will notify the complainant in writing of the final decision reached and will advise the complainant of his/her appeal rights.

REASONABLE ACCOMMODATION PROCEDURES

Title I of the ADA requires an employer to provide reasonable accommodation to qualified individuals with disabilities who are employees or applicants for employment, unless to do so would cause undue hardship. In general an accommodation is any change in the work environment or in the way things are customarily done that enables an individual with a disability to enjoy equal employment opportunities.

The City of Milford will make reasonable accommodations for the impairments of qualified individuals with disabilities, consistent with the qualifications required for the essential functions of a particular job, unless the accommodation would cause undue hardship to the City.

ASSURANCES Pursuant to the requirements of Section 504 of the Rehabilitation Act of 1973 (29 USC 794), the City of Milford, desiring to avail itself of federal financial assistance from the US Department of Transportation, hereby gives assurance that no qualified disabled person shall, solely by reason of his disability, be excluded from

participation in, be denied the benefits of, or otherwise be subjected to discrimination, including discrimination in employment, under any program or activity that receives benefits from this federal financial assistance.

The City of Milford further assures that its programs will be conducted, and its facilities operated, in compliance with all requirements imposed by or pursuant to 49 CFR Part 27, 28 CFR Part 35, and 42 USC 12101-12213.

Adopted this 2nd Day of July, 2013

at The City of Milford, Seward County Nebraska.

The Council members of the City of Milford:

Dean A Bruha

Jeff Z. Zuhlen

Jeff M. Boh

Dan V. Chal

Quik Fath

ATTEST:

Jeanne Hoggins

Jeanne Hoggins, City of Milford Clerk

From: Goodbarn, Thomas <Thomas.Goodbarn@nebraska.gov>
Sent: Wednesday, February 24, 2016 3:01 PM
To: Jeanne Hoggins, City Clerk
Subject: RE: City of Milford, Transportation Alternatives Letter of support for the Proposed project

Dear Jeanne Higgins,

I am in receipt of the map for the planned trail in Milford, Ne. This is the trail running from Southeast Community College to Welch Park with access through the downtown area.

The proposed route would provide a safe and healthy transportation enhancement to the community at large by connecting key areas.

As the Engineer for District 1 of the Nebraska Department of Roads I am in favor of this project.

Thank you for your community planning work.
Let me know if you need additional information.

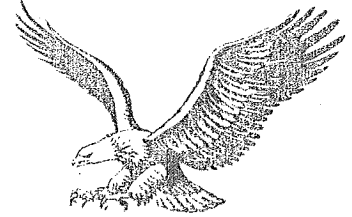
Tom

Thomas W. Goodbarn, P.E.
District 1 Engineer
Nebraska Department of Roads
302 Superior St.
Lincoln, Nebraska, 68521-2481
(402)-471-0850

Confidentiality Notice: This e-mail including all attachments is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure, or distribution is prohibited unless specifically provided under the Nebraska Public Records Act. If you are not the intended recipient, please contact the sender and destroy all copies of this message.

MILFORD PUBLIC SCHOOLS

1200 West 1ST • MILFORD, NEBRASKA 68405



February 15, 2016

Jeanne Hoggins
City Clerk
City of Milford
505 First Street
PO Box 13
Milford, NE 68405

Dear Jeanne,

As superintendent of the Milford Public Schools, I am pleased to write this letter of support for the City's grant application for the Safe Routes to School program and the Transportation Alternatives Program. Our administrative team and the Board of Education have discussed the proposed route and can clearly see how the walking/biking trail would contribute to the safety and wellbeing of our students.

Everyday a significant portion of our student body walks or rides a bike to school. The Phase I proposal would be of particular help to those students by improving safety. Our school district has also begun a school wellness initiative that has as its centerpiece finding ways to help our students become more physically active. The proposed walking/biking trail would greatly enhance our capacity to help students increase their fitness.

Milford Public Schools fully supports the City of Milford's application for the grant. The proposal is a tremendous step forward as we seek to help the community's youngest members travel safely and become more physically fit. Please contact the school if we can be of any additional help.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin Wingard". The signature is fluid and cursive, with a large, sweeping "K" and a stylized "W".

Kevin Wingard
Superintendent

Milford Public Schools

"Everyone Has a Story. . . . Make Yours Worth Telling"

Superintendent Office • (402) 761-3321 • Fax (402) 761-3322

Secondary Principal Office • (402) 761-2525

Elementary Principal Office • (402) 761-2408



**UPPER BIG BLUE
Natural Resources District**

105 N. Lincoln Ave.
York, Nebraska 68467

402-362-6601
Fax: 402-362-1849
www.upperbigblue.org

March 1, 2016

Jeanne Hoggins, City Clerk
City of Milford
505 1st Street
Milford, NE 68405

RE: Letter of Support, Transportation Alternatives Grant Application, City of Milford, Nebraska

Dear Ms. Hoggins,

The Upper Big Blue Natural Resources District supports the City of Milford's Transportation Alternatives Grant Application for a trail that will connect Southeast Community College (SCC) on the Southeast edge of Milford with Welch Park on the Northwest part of town. The trail will provide access/connection from SCC to downtown Milford, Uptown City Park, Milford High School, Crestview Care Center, Milford Elementary School, and Welch Park. This trail would provide service to a wide variety of residents, ranging from young children to older adults.

Nebraska's Natural Resources Districts (NRDs) are organized as governmental subdivisions of the State of Nebraska. NRDs provide direction and assistance in the wise use, conservation and development of Nebraska's soil, water, and related natural resources. Local control is provided by a board of directors. NRDs are empowered to coordinate land and water management programs with local, state, and federal conservation organizations and other governmental units. Development and management of recreation and park facilities is one of many basic responsibilities of the NRDs as authorized by statute.

The Upper Big Blue NRD area covers all of York County and parts of eight (8) other counties, including Adams, Hamilton, Clay, Polk, Fillmore, Butler, Saline, and Seward (including the city of Milford).

A handwritten signature in blue ink that reads "Jack B. Wergin". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Jack B. Wergin, PE
Projects Department Manager
Upper Big Blue Natural Resources District

February 25, 2016

To: Whom It May Concern

From: Ed Koster, Campus Director/V.P. for Technology, SCC Milford Campus

RE: Safe Routes to School Bike Path

Southeast Community College would like to express their complete support for the City of Milford's application to the Safe Routes to School Program to implement a new biking/walking path. Although the city of Milford may be a small community it has a great deal of truck traffic running through town on Highway 6, State Street and other locations in town. Providing a biking and walking trail in town would aid in creating a safe path for residents to take back and forth between the schools in town and is the kind of amenity that would make Milford a safer and more family friendly community.

In addition to that from Southeast Community College's perspective this project also aligns directly with our Strategic Plan goal to promote physical and psychological health among faculty, staff and students by providing areas for them to walk, run and ride bikes.

Southeast Community College would appreciate your favorable consideration of the City of Milford's application and we are excited to see work begin on this effort and see the trail system develop throughout the community. We are confident the City of Milford will make you proud of how the grant is used and how it will contribute to the safety of the community.

Sincerely,



Edward J. Koster
Southeast Community College
Milford Campus Director & V.P. for Technology
600 State Street
Milford, NE 68405
Tel: 402-761-8224
Email: ekoster@southeast.edu

BOARD OF GOVERNORS

Chairperson: Kathy Boellstorff, Johnson; Vice Chairperson: Dale Kruse, Beatrice; Secretary: Nancy A. Seim, Lincoln; Treasurer: Helen E. Griffin, Lincoln; Robert J. Feit, Pickrell; James J. Garver, Lincoln; Ruth M. Johnson, Lincoln; Terrence L. Kubicek, Lincoln; Steven Ottmann, Dorchester; Edward C. Price, Lincoln; Donald Reiman, Virginia; Pat Galitz, Faculty Representative, Lincoln (Jan. 20, 2015)



MILFORD SENIOR CENTER

February 29, 2016

Ms. Jeanne Hoggins
City of Milford
505 First Street
PO Box 13
Milford, NE 68405

Dear Jeanne,

As Manager of the Milford Senior Center, I am writing in support of the Transportation Alternatives Program and the Safe Routes to School Program. Many of our seniors do a lot of walking around town for exercise, unfortunately many of them have to walk on the street because either the sidewalks abruptly end, or are nonexistent. For the safety of our aging population as well as the many other walkers, I see this as a wonderful way to encourage safety for those who want to get out and exercise in order to keep fit, or to complete daily errands.

The safety of our city's children is also of utmost importance, as they are our future! As a parent, I have personally approached the school in the past about the safety of our children and possible alternative routes or drop off points around town. Currently all the children coming from the school must use one sidewalk to the four way stop, at which point they split off, some toward the north where there are NO sidewalks, some to the south where they may have to pass in front of the High School, and eventually the busy highway. The sidewalk coming from the school becomes quite congested, which then causes children to walk to close to the street, this is a safety issue. Safer routes to and from school are needed in Milford.

I hope for the sake of our city's safety, you will consider awarding Milford with the grant money needed to complete the trails for our citizens, young and old.

Thank you.

Sincerely,

Nancy Buchli
Senior Center Manager

105 South B Street
PO Box 374
Milford, NE 68405

PHONE 402-761-3367
EMAIL MilfordSeniorCenter@Outlook.com
WEB SITE <http://milfordne.gov/community/senior-center/>

Kiwanis

Milford, Nebraska

www.milford.kiwanisone.org

PO Box 356

Milford, Nebraska 68405

February 23, 2016

To Whom It May Concern:

Milford, Nebraska has always been a community concerned about its people and children. As a world-wide service organization, Kiwanis strives to "improve the world one child and one community at a time". It is for that reason, that the Milford Kiwanis Club is extending its full support for Phase I of the Bike and Walking Path Project first effecting and most relative to the downtown business district and the school district. This project will help to serve the community and its people to have a safe passageway that will combine recreation with need.

Being active in the community for 16 years, Milford Kiwanis has made a significant impact on the current landscape of the city. The organization has spent over \$100,000 dollars during this time improving and providing services and assistance to the City of Milford and its people. Significant landmarks provided by Kiwanis are the "Milford Welcomes You" sign, the B street median improvements, two major playground facilities in the city park and Kiwanis was instrumental in providing the labor and supervision to construct the city park restrooms and adjoining park shelter.

Milford Kiwanis vows to support the City of Milford and any effort they initiate to improve the cityscape. Kiwanis is dedicated to continuing the tradition they have started of community service and will work cooperatively with the City of Milford to achieve goals that benefit the well-being of all concerned.

Kiwanis wants Milford to grow and be a center of pride for its residents as well as those in the surrounding rural areas and would be excited to see the possibility of additional improvements to help attract businesses and those needing the services of such businesses.

Please give the application for Milford's Bike and Walking Path Project grant careful consideration. We encourage you to provide approval for this application as the Milford Kiwanis Club would be excited at the opportunity to work cooperatively with the city and provide community support on improvement projects identified by this grant.

Sincerely,



Ron Petsch, Secretary
Milford Kiwanis Club

Kiwanis is a global organization of volunteers dedicated to



changing the world one child and one community at a time.



511 1st Street • Milford, NE 68405 • Phone (402) 761-4000 • Fax (402) 761-4005

Jeremy Svoboda, P.T.
Brandy Grossart, P.T.A.
Ryan McCabe, P.T.

February 11, 2016

Dear Transportation Alternatives Program committee,

As office manager of Milford Physical Therapy I am writing you in support of the grant to provide safe pathways for children to get to school as well as for the community of Milford to have safe paths for exercising. This would be a wonderful way to not only improve the safety for children walking to school but would also serve to push the effort to move toward a healthier lifestyle for them.

Milford would also greatly benefit as a community to have a safe trail for all residents to use for walking and exercising activities while not having to do so in the unsafe streets.

The citizens of Milford have been discussing for years the benefits of having a town trail for fitness but this would also link all of the city's main amenities together so that community members could simply leave their cars parked at home and get nearly anywhere in town they need on foot or bike.

Thank you for taking the time to consider our request to you for support of our new trail. As a business that works in the fitness and health industry we truly feel that a walking path would be a tremendous benefit to the residents of Milford.

Respectfully,

A handwritten signature in black ink that reads "Brandy Grossart PTA". The signature is fluid and cursive, with the last name "Grossart" being the most prominent part.

Brandy Grossart, PTA/office manager

Milford Physical Therapy

Rediger Automotive

424 1st Street, Box 9 • Milford, NE 68405 • (402) 761-2411 • Fax (402) 761-3460

February 11, 2016

Dear Transportation Alternatives Program and Safe Routes to School Program:

Please help support the City of Milford's efforts in bringing a walking/biking trail to our town. Our city would benefit greatly by having this trail so I would appreciate your consideration. Our quality of life would be improved if our residents had a walking/biking trail. Milford residents love walking, jogging, and biking which can be noted by the large number of us that exercise regularly.

As far as the safety issue of our young residents, it would be nice to have a safe trail to walk or bike to assist them in their safe journeys to school and their other endeavors.

Any help with this worthwhile project would be greatly appreciated. As a business owner, I love to see any improvements in our small town. We need to keep improving our town to keep our population thriving. Also, as an avid jogger and biker, I go to surrounding towns to use their trails. Since Milford does not have our own trail, I get plenty of enjoyment and exercise out of these trails. It will be nice in the future to be able to stay in our town and take advantage of our trails here.

Once again, thank you for your consideration in support of this project.

Sincerely,



Terry Rediger

INSURE NEBRASKA

ALL TYPES OF INSURANCE

517 1st STREET, MILFORD, NE 68405
(402) 761-2291 • Fax (402) 761-2307
TOLL FREE 888-430-2291 • E-mail info@insureNE.com

February 12, 2016

RE: Proposed walking/biking trail in Milford, Nebraska

To whom it may concern,

I am writing this letter in support of the proposed walking/biking trail for the city of Milford, Nebraska. I ask that your committee considers assisting in funding this project which will enhance the safety and well-being of the citizens of Milford and the surrounding area.

Currently, our kids have limited options for safe routes to school and parks in town. This project would greatly enhance those options, and give our kids much safer routes to and from school. The implementation of this trail will also allow our kids better access to parks and other recreational activities offered within the city. At the present time, many of our students are forced to use busy streets en route to school each day, which is an obvious safety concern with the amount of traffic at these busy times.

In addition; a trail such as the one being proposed would assist in the well-being of all of our citizens. We have a very active community, and if you drive through town any evening throughout the spring, summer and fall, you will see groups and individuals walking on the city streets for exercise and recreation. It's important that we give these people a safer option, and also encourage others to be active by offering a trail that they can use. We are all aware of the health benefits of staying active, and this trail would go a long way in providing our citizens with this opportunity.

I appreciate your consideration and thank you for your time.

Sincerely,



Joe Schluckebier
Business owner and concerned citizen

Box 154
Milford, NE 68405
February 24, 2016

Jeannie Hoggins, City Clerk
City of Milford
505 1st
Milford, NE 68405

Dear Jeannie:

I am writing to support the Transportation and Safe Roads to School grant that would provide an added safety and healthy lifestyle benefit for our students and citizens.

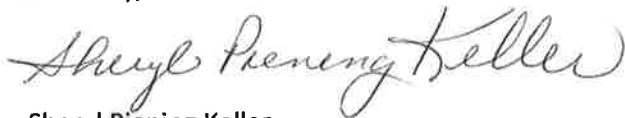
As a community member, I frequently see children bunched up on the sidewalks walking to and from school. On a regular sized sidewalk, students typically need to walk single file or off the sidewalk to socialize with others walking with them. Students riding bikes on the sidewalk usually have to ride through the lawns to get around children walking. I also frequently see adults walking for exercise at various times during the day. They frequently walk in the street. I also see children, youth, and adults riding their bikes in the streets. For children and some youth, this is not the safest option. Even for adults, riding on streets creates safety issues.

Milford is in dire need of a "path" dedicated to safe walking, running, and bicycling. This town of 2000 plus does not currently have this. The population increases to about 2,600 when Southeast Community College Students are in session. That is just including those who live in the dorms or in town; an additional 300 to 400 SCC students commute to Milford, which increases the need for safe walking/riding paths to school for children and our youth.

A wider path, as indicated in the Safe Route to School plan, would provide a safer path for children, youth, and adults to walk, run, or bicycle on the same route at the same time. This wider path might also encourage others to get out and walk, run, or ride a bike, which would encourage a healthy lifestyle.

The Milford community needs this safe path to school route. I strongly encourage the grant selection committee to consider the Milford community when designating communities to receive funds from the Transportation and Safe Route to Schools grant.

Sincerely,

A handwritten signature in cursive script that reads "Sheryl Piening Keller". The ink is dark and the signature is fluid.

Sheryl Piening Keller

Community Member, 24 years

Sunday School Instructor, Southeast Community College adjunct Instructor,

Milford Kiwanis Board Member—dedicated to serving the children of the world

734 Park Avenue
Milford, NE 68405

February 12, 2016

Jeanne Hoggins, City Clerk
City of Milford
PO Box 13
Milford, NE 68405

Dear Mrs. Hoggins:

As long-term citizens of Milford, we would like to offer our wholehearted support of the proposed walking/biking trail project for our city. This project holds the prospect of being an appropriate and needed addition to what the City of Milford provides for its residents.

At a time when physical fitness and wellness should be a high priority for everyone, this project is one which would encourage all of us to get outdoors and experience the benefits and personal rewards of staying physically fit. The initial phase, alone, offers a great deal by connecting some of the most notable regions of the city. The subsequent phases of the project will serve the citizens of the community in countless ways.

Moreover, the initial phase would provide an alternate and safe route for many school students to use when walking or cycling to school.

Sincerely yours,



Robert Ficke



Nora Ficke

Febr. 29, 2016

To Whom It May Concern,

I would like to add my endorsement of the funding for the Milford Trail Plan in Milford, Nc.

It would be a great addition to the town and add greatly to the quality of life in Milford.

I have been a resident in and around Milford my whole life and think this would be a great improvement.

Sincerely,

Ruth Foster

2296 Adams Rd.

Milford, Nc 68405

March 1, 2016

Dear Jeanne,

We would like to let you know we are definitely on board for a walking/biking trail for our city of Milford. We are especially interested in the Safe Routes to School in Phase I. Our home is in an area of town that does not have sidewalks and we do see the children walking on the streets to get to school. At this time they have been safe but that could change so quickly with just one accident involving a child walking or riding a bike colliding with a vehicle.

Thank you for considering the value of this project for our city.

Sincerely,

Handwritten signatures of Roger Huss and Rosalie Huss. The signature for Roger Huss is written above the signature for Rosalie Huss.

Roger and Rosalie Huss

Transportation Alternatives Program Preliminary Environmental Checklist

Project Name: Milford Trail Phase I Project - Southeast Community College to Welch Park
Local Public Agency: City of Milford

The completion of this form represents the LPA's assessment at the Application stage of the project selection cycle. If the project is selected for funding, a qualified environmental consultant will need to be hired to complete an environmental document.

1. Is it likely the project would close a road, bridge, or access for more than 3 consecutive days?

☒ Yes ☐ No

2. Is it likely the project would disturb natural ground (soil) below or beyond existing fill material?

☐ Yes ☒ No

3. Is it likely the project would require the acquisition of right-of-way (ROW), including permanent easements and/or temporary construction easements?

☒ Yes ☐ No (Estimated Number: 20-25)

If yes, is it likely more than 1.5 acres per linear mile of ROW or easements would be needed?

☐ Yes ☒ No

If yes, is it likely farmland would be purchased?

☐ Yes ☒ No

Will a Permit to Occupy State ROW be needed?

☒ Yes ☐ No

4. Is there known public opposition or controversy related to this project or is it anticipated?

☐ Yes ☒ No

5. Are there any Section 4(f) properties (including: publicly owned parkland, trail, wildlife refuge, or known historic properties) present along or within 0.25 miles of the project?

☒ Yes ☐ No

If yes, is it likely the project would impact a Section 4(f) property?

☒ Yes ☐ No

6. Based on past experiences or to your knowledge, is the project adjacent to structures that are 50 years old or older, or are there any known historic structures in the project area?

☐ Yes ☒ No

7. Would the project affect an eligible historic bridge?

☐ Yes ☒ No

8. Based on past experiences or to the best of your knowledge, are there any State or Federally listed Threatened or Endangered Species or critical habitat within the project area?

☐ Yes ☒ No

9. Are any of the following water bodies located within the project limits?

☐ Creek or Stream Channel ☐ Lake ☐ River ☐ Drainage Ditch ☒ N/A

If any water bodies are in the project limits, then how often is water present in them?

☐ Always present ☐ Sometimes present ☐ Rarely present ☒ N/A

Is it likely the project would impact any of the following?

☐ Creek or Stream Channel ☐ Lake ☐ River ☐ Drainage Ditch ☒ N/A

10. To your knowledge, do any of the following exist within or adjacent to the project limits? (Check all that apply)

- ☒ Above or below ground storage tanks
- ☐ Past chemical spills or releases
- ☐ Operational and/or closed dump or landfill
- ☒ Industrial or commercial areas
- ☐ None known

11. Do any of the following statements describe areas within the project limits? (Check all that apply)

- ☐ There is standing water in the project area
- ☐ There are areas that hold water longer after it rains and/or do not drain well
- ☐ There are areas that appear to be soggy or swampy
- ☐ There are known wetlands in the project area
- ☐ Wetland plants are located in the project area (e.g., cattails, reed-canary grass)

If any of the boxes were checked above, is it likely any of those areas would be impacted by project construction?

☐ Yes ☐ No

**COMPREHENSIVE
DEVELOPMENT PLAN UPDATE
2007 to 2027**

Prepared For
**MILFORD,
NEBRASKA**

Prepared By

 **JEO**
Consulting Group, Inc.
402.443.4661 PO Box 207 Wahoo, Nebraska 68066

The City of Milford will provide a transportation system that improves access and circulation for vehicular traffic within Milford. Development in Milford shall be guided to safely utilize existing public investment in roads, and programs to reduce road development or maintenance. In addition the City of Milford will support an efficient road system to serve current and future circulation and access needs.

Objectives

- 5.01 Milford will work on developing a future recreational trails plan and system in conjunction with the sidewalk plan.
- 5.02 The City will work with the Nebraska Department of Roads to establish appropriate speed limits and post the limits within the community while improving traffic flow, circulation, and safety.
- 5.03 The City will work with the Nebraska Department of Roads to direct any future improvements along US Highway 6, including the construction of turn lanes, additional driving lanes, or traffic controls.
- 5.04 The City will develop an ongoing street maintenance program as an extension of its One-and-Six Year Road Program.
- 5.05 The City will work with Southeast Community College to divert traffic around the campus.

RECREATION

Milford should provide adequate, park and recreation opportunities for the residents of Milford. These facilities should be a combination of expanding of existing facilities and the establishment of newer facilities.

Objectives

- 6.01 Cooperate with all governmental and recreation agencies within the region to identify open space and scenic resources to determine both year around and seasonal resident and non-resident needs and formulate and implement measures for open space preservation and use.
- 6.02 For the purpose of implementing recreation programs and development, the City will investigate funding alternatives such as tax levies, bonding, grants in aid, user fees and subdivision ordinance stipulations.
- 6.03 Work to repair or replace existing recreation facilities such as playground equipment, playing surfaces, and the swimming pools.
- 6.04 Establish policies and guidelines for the development of new park facilities as new subdivisions are proposed and approved.
- 6.05 Work with the development regulations to establish the means for the creation of clustered developments that will allow the community to see creative layouts while preserve open spaces for natural, environmental and recreational purposes.
- 6.06 Develop more youth recreation programs, including those done in cooperation with the Milford School District.
- 6.07 The City will work on developing a future recreational trails plan and system in conjunction with the sidewalk plan, including the development of trail and/or bike paths along the Big Blue River.
- 6.08 Work with residents to develop camping facilities in existing park areas or establish new facilities.
- 6.09 Work to improve parking and access to existing park areas.

MILFORD TRAIL MASTER PLAN



MILFORD, NEBRASKA

ADOPTED: AUGUST 2014



JEO CONSULTING GROUP INC

JEO Project No.: R120090.00

ACKNOWLEDGMENTS

City of Milford Mayor

Dean A. Bruha

Council Members

President of Council, Jeff Baker

Acting President of Council, Rick Fortune

Jeff Heckman

Dan Kral

City Clerk

Jeanne Hoggins

Planning Consultant

David Potter, Senior Planner



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INTRODUCTION

The City of Milford has recognized the need of connecting its parks and amenities with trails and to provide another means of recreation and transportation. It is safe to say that the desire for public trails within a community and connecting nearby destinations together continues to be a growing interest in nearly every community in Nebraska. As walkers, joggers, and/or bicyclists, Milford residents are placing an increasing value on the ability to utilize a future trail system in their community whether for scenery, separation from vehicular activity, or simply having the ability to recreate outdoors on a dedicated linear park facility. Milford has several recreational opportunities for all age segments of the community's population, however; they are not easily accessible to much of that population. One way to connect new and existing development areas to the recreational facilities in the community is to expand on existing trails and develop a comprehensive trail system.

Milford is a rural community located in southeastern Seward County, just south of Interstate 80. U.S. Highway 6 connects Milford to the Interstate and to the City of Friend, Nebraska. Milford geographically sits between Seward and Crete and also between Friend, Pleasant Dale, and the City of Lincoln. This location offers a purpose and advantage to linking a regional trail between those nearby communities. There are specific points of interest within and adjacent to Milford that will benefit from a trail. Such a trail system will provide alternative transportation routes and short and long recreational outings for pleasure and exercise. Studies indicate that 50 percent of car excursions are less than three miles, a distance that could easily be covered by foot or bicycle. By using local neighborhood trails for transportation, not only can residents exercise and recreate but commuters could save money from some automobile related expenses.

Value of Trails

The greatest overall use of trail facilities is for recreational purposes. The primary function of trail use is to promote recreation and public health while adding to the green space in and around the City of Milford. This is a direct benefit to all citizens which contributes to the quality of life in Milford. Trails offer an alternative mode of transportation, connection of residential neighborhoods to community amenities, and contribute to a healthier environment. Trails assist in protecting resources and preserving open space by defining areas free of human habitation and development. Trails can also lead to economic development in a community by promoting tourism and related businesses.

Purpose of Master Plan

This prepared trail master plan analyzes and recommends trail alignments and amenities for an interconnected trail system and regional extensions for the City of Milford. The purpose of the master plan is to provide quantitative information, guide the process of future development, safe use, and operation of the Milford Trail Plan as a non-motorized recreational and commuter trail system. This master plan also establishes itself as a useful tool when applying for funding to implement the phases of construction of the Milford Trail System.

The goal of the plan was to identify the best route for a multi-use looping trail in and around the community and to connect the city's many amenities, including, but not limited to: Southeast Community College, South Park, Milford High School and Elementary School, Welch Park, Camp Easter Seal, and the downtown area. Another goal was to indicate the best routes for regional connections to surrounding amenities and communities. Figure 1 identifies the location of these existing facilities and amenities in relation to the proposed trail route.

TRAIL PLANNING

In developing the trail plan it was necessary to evaluate any existing trails, identify all amenities to be connected, and analyze any known obstacles. Once evaluation of the community was completed, the trail alignment and design features could be planned and implementation strategies prescribed.

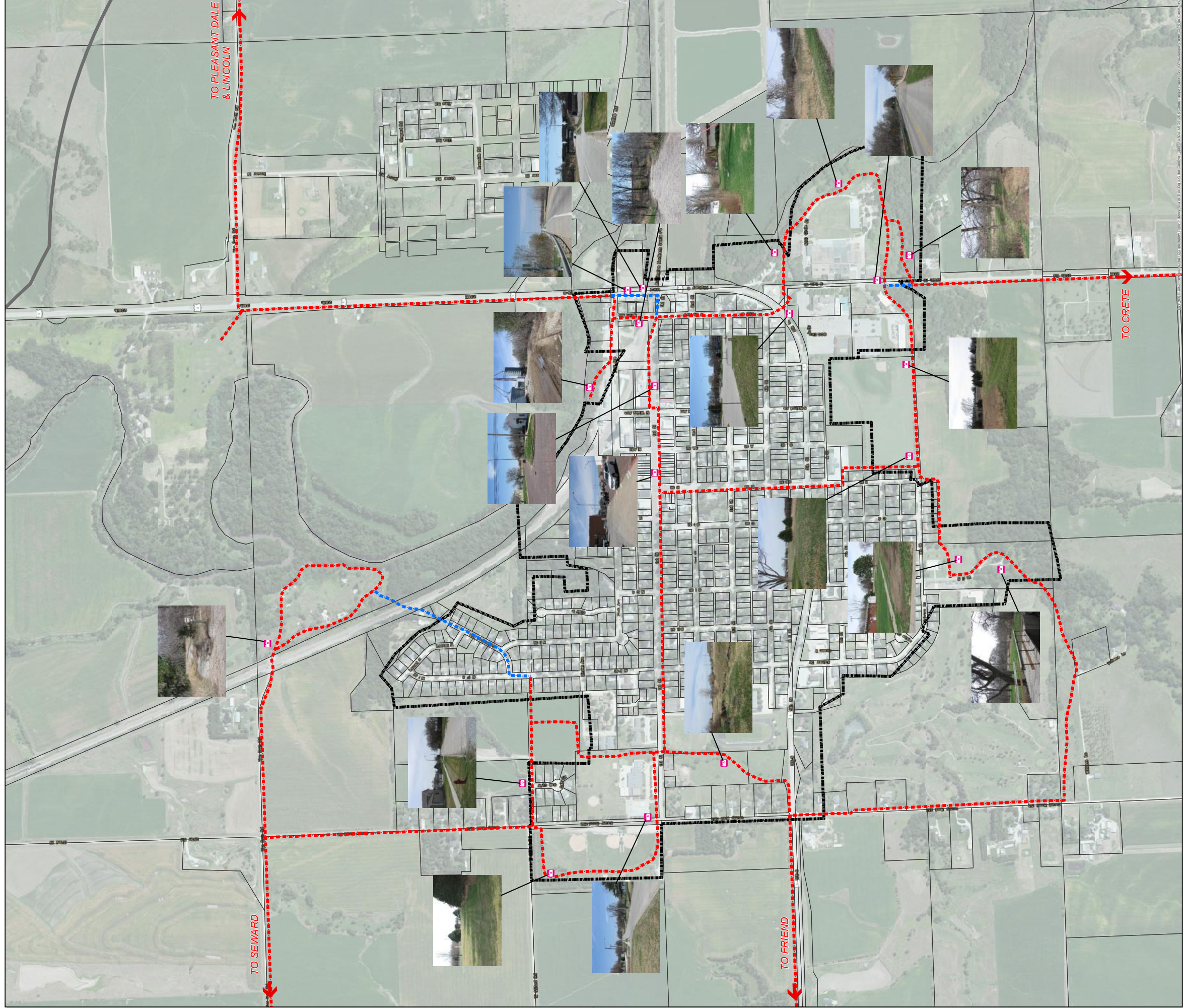
Existing Trails and Conditions

In review of existing facilities, the only current trails are non-paved trails within South Park. The only other existing trail facilities are the sidewalks within the street right-of-ways. There are also no current easements or outlots in place for trail development. Future trail development will likely occur within street/road rights-of-way, on public lands, or on private lands through property acquisition, dedication, or use of easements.

In analyzing the topography and built environment in and around Milford, the three major obstacles or challenges for trail development will be the river, the railroad, and Highway 6. Construction of any new pedestrian bridges will be expensive so trail development north and south of town will occur when opportunities arise for bridge widening when replacement is needed. Highway crossings should be done at intersections where traffic can be slowed or stopped and trails along the highway shall be separated from the pavement as much as possible. The active railroad can only be crossed with underpasses or at-grade crossings. Records indicate that there once was an underpass on Elm Avenue. The city should work with the Burlington Northern Santa Fe Railroad on the possibilities of reconstructing the Elm Avenue underpass and allow at-grade crossings on Van Dorn Road and northeast of intersection of Cottonwood Avenue and Locust Street to allow trail connections to the old Easter Seal Camp and to the river.

Trail Alignment and Design Features

- The trail alignment will follow state, county, and municipal roads; public land; and along lot parcel lines of privately owned property via future dedicated easements as shown in Figure 2 (Proposed Trail Concept and Alignment).
- A system of eight to ten foot wide trail with crushed limestone or concrete surface and soft shoulder will accommodate a wide variety of non-motorized uses including pedestrian, recreational, fitness minded, commuting bicyclists, and others. All trails in the city limits should be hard surfaced.
- Environmentally-sensitive design will respect existing environmentally sensitive landscapes, provide positive drainage, use native plants, and enhance degraded natural resources.
- Development of multiple trail heads, connection to at least 12 different amenities in and around Milford, and the intersection of various roads and streets will provide many access points for local and regional users.
- The trail will provide a future connection to surrounding communities.
- The trail will provide a connection to community facilities including city parks, community college, elementary and high school, retirement community, and residential developments.
- Proposed underpass will provide safe crossing of railroad to connect north side of the community.
- Directional, mileage marker, and regulatory signage will help orient trail users and inform them about trail guidelines, distances, and location.
- Interpretive signage will feature cultural, environmental, and historic information of the



Legend

- Photos
- Proposed Trail
- Alternate Trail Route
- Milford Corporate Limits
- Seward County Parcels

map not to scale

N

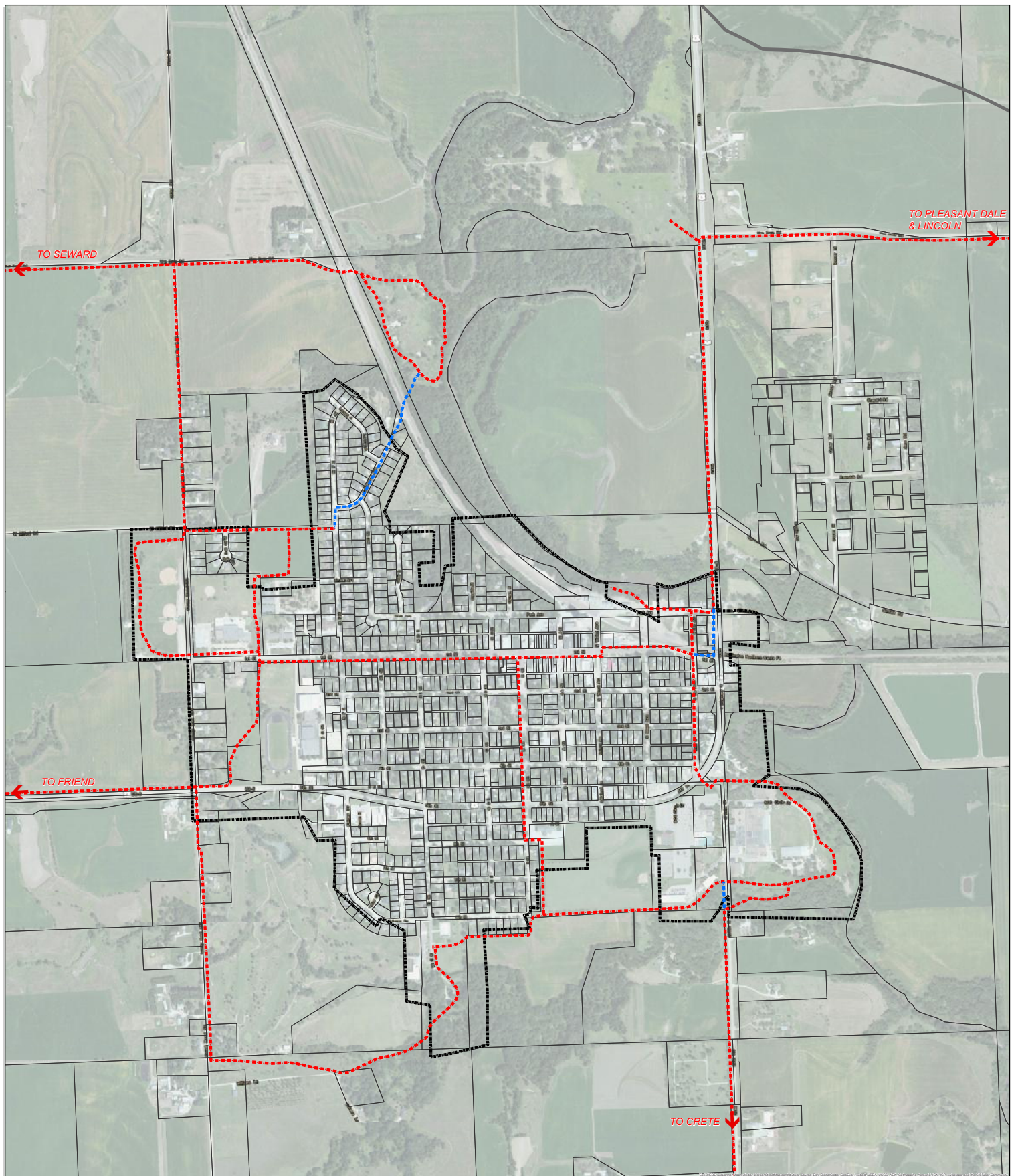
Milford Trail Plan

Milford, Nebraska

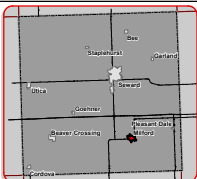
Created By: SMS
 Date: 5/30/2014
 Software: ArcGIS 10.2
 File: 120090

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Figure 1: Existing Community Facilities and Amenities



- Legend**
- Proposed Trail
 - Alternate Trail Route
 - Milford Corporate Limits
 - Seward County Parcels



↑ N
map not to scale

Milford Trail Plan

Milford, Nebraska

Created By: SMS
Date: 5/30/2014
Software: ArcGIS 10.2
File: 120090



This map was prepared using information from record drawings supplied by JEO and/or other applicable city, county, federal, or public or private entities. JEO does not guarantee the accuracy of this map or the information used to prepare this map. This is not a scaled plan.

Figure 2: Proposed Trail Concept and Alignment

community and surrounding area.

- Safety and security features should include delineation between trail and adjacent neighbors (ie. vegetative buffers or fencing).
- Trail amenities should include benches, kiosks, and garbage cans.
- Design features will maximize the trail's aesthetic and functional qualities
- Community involvement in trail management and crime prevention will be encouraged.
- Unique trail design and landscaping may include trail-side gardens.

Project Implementation

- The Milford Trail System construction is proposed in five phases. These phases are proposed based on need of the community and connection of the downtown, school facilities, and residential developments.
- Trail segments oriented along streets/roads utilizing sidewalks shall be upgraded to eight to ten foot trail widths when sidewalk improvements are warranted. City shall determine where improvements are located and how they are paid for.
- The City of Milford will determine the use of budgeted funds or apply for funding to conduct the layout, engineering, and construction of various trails through agencies that are connected to recreation, natural resources, transportation, and governmental initiatives.
- New developments and subdivisions shall observe planned locations of trails and design such trails into platting of land.
- The city will work in close coordination with project partners who are planning capital improvement projects in or near the Milford Trail System right-of-ways to make the most of any opportunity to reduce or share project implementation costs (ie. bridge construction).

TRAIL PHASING

The Milford Trail Plan has identified a proposed route for a looping trail in and around the community with future regional connections. Due to trail construction expense, land acquisition and/or easements, and other factors or limitations, the Master Plan has separated the Milford trail system into five different hierarchal phases as shown in Figure 3. Trail layout is conceptual. Final location and configuration will be based on lot configuration, topography, land purchase and agreements, cost, and other factors. It is also noted that although phases are prioritized, trail segments in any of the phases are permissible depending upon development and funding opportunities.

Phase 1 – Southeast Community College to Welch Park

Opportunities

- Will connect the downtown to Southeast Community College
- Will connect the downtown to the public schools and to Welch Park
- Identifies a trail layout for future residential development in the northwest corner of Milford
- Trail is adjacent to and within neighborhoods
- Access to Crestview Care Center
- Recommended trailhead at Welch Park

Challenges

- Crossing of Highway 6 near Southeast Community College
- Proximity to traffic
- Numerous street/road crossings

-
- Interfacing with residential driveways and backing out vehicles
 - Location within new developments that will require land/trail dedication
 - Widening of existing sidewalks for trail within right-of-way and working around established trees and buildings

Location Alignment

- This alignment would be along 1st Street, adjacent to the elementary school, through Welch Park, and along South Elm Avenue. The trail would be located in future public owned easements, dedicated outlots, and existing street/road right-of-ways. Trail will use existing sidewalks that will need to be widened in the future.

Phase 2 – High School and South Park Connections

Opportunities

- Recommended trailhead at South Park.
- Will connect the downtown and Uptown Park to swimming pool and South Park
- Creates a loop around Southeast Community College and connects college campus to South Park
- Provides connection from 1st Street to Highway 6 along west side of Milford High School
- Trail is adjacent to and within existing neighborhoods

Challenges

- Land Acquisition
- Crossing of Highway 6 at South B Street and South State Street at the south end of college campus
- Numerous street crossings
- Interfacing with residential driveways and backing out vehicles
- Widening of existing sidewalks for trail within right-of-way and working around established trees
- Bank stabilization in northeast corner of Southeast Community College campus
- Safety features along steeper banks through college campus property
- Trail maintenance through college campus
- Location within future developments that will require land/trail dedication

Location Alignment

- These trail segment alignments would be around the Southeast Community College campus, west of the high school, and south of Uptown Park. Location of the trail would be in future public owned easements, dedicated outlots, and existing street/road right-of-ways. Trail will use existing sidewalks that will need to be widened in the future.

Phase 3 – Golf Course Connection

Opportunities

- Connects Highway 6 to golf course and to South Park
- Provides pedestrian accessibility for existing and future residents west of golf course to rest of the community

Challenges

- Land acquisition
- Locating trail adjacent to County Road 252
- Connection around golf course and creek into South Park

Location Alignment

- This alignment would be south and west of the golf course. The trail would be located in future public easements, dedicated outlots, city well property, and existing road right-of-ways. Trail will use existing bridges in South Park.

Phase 4 – River Access and Trail Connection

Opportunities

- Will provide connection from Southeast Community College trail across the creek to 238th Road
- Recommendation of trailhead on south side of college campus
- Will provide safe pedestrian access across the railroad
- Trail to connect neighborhoods on both sides of the railroad tracks
- Trail development will provide access to Old Grist Mill and river for future development of historical structure

Challenges

- Land acquisition
- Pedestrian bridge across creek on south end of the college campus and floor areas
- Trail maintenance through college campus property
- Permission and construction of railroad underpass at Elm Avenue
- Trail alignment under railroad bridge along Highway 6 (if underpass is not possible)
- Access to Old Grist Mill and development of tourist attraction
- Trail stabilization along the river
- Street and driveway crossings north of railroad

Location Alignment

- These segments would be in northeast corner of town, north of the railroad, and area south of Southeast Community College. Trail location would be in future public owned easements and existing street/road right-of-ways.

Phase 5 – Camp Easter Seal, Riverside Park, and Regional Connections

Opportunities

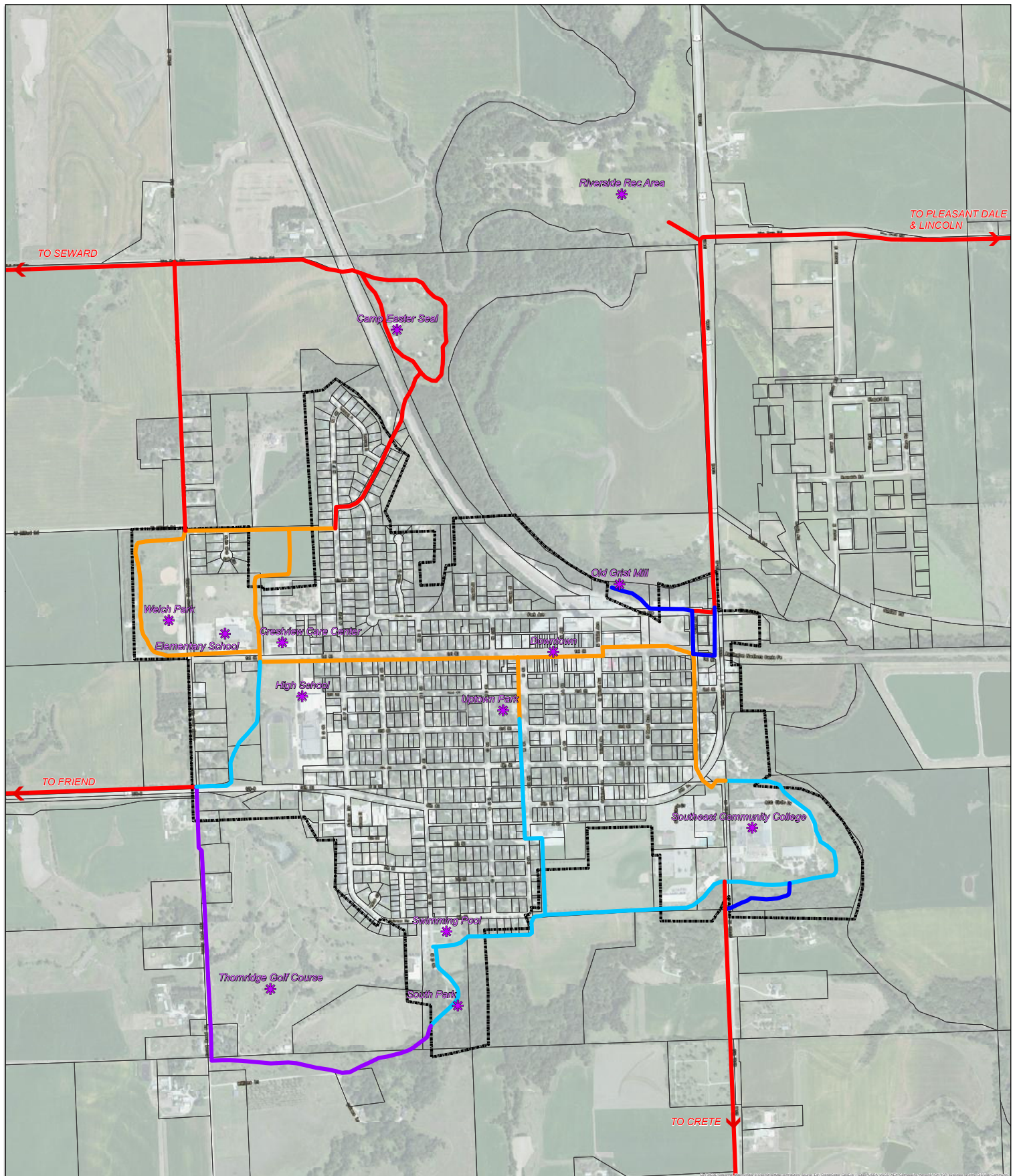
- Connection of city to Camp Easter Seal
- Pedestrian connection of city to Riverside Recreation Area
- Regional trail connection to surrounding communities
- Rural landscape surroundings
- Trail connection of existing residential development in northwest corner of city to other neighborhoods and rest of community

Challenges

- Land acquisition
- Adjacency to highway speed and traffic volumes
- Adjacency to rural road section
- Crossing of Highway 6 at Van Dorn
- Highway and road bridge crossings
- Access to Camp Easter Seal and development of park
- Trail segment through existing neighborhood requires either street usage or reduction of curbside grassed area
- Interfacing with residential driveways and backing out vehicles

Location Alignment

- This alignment would be along Highway 6, Van Dorn Road, 238th Road, and 252nd Road in outside corners of the city. The trail would be located in future public owned easements, dedicated outlots, and existing street/road right-of-ways. Trail will use some existing sidewalks that will need to be widened in the future.



<p>Legend</p> <ul style="list-style-type: none"> Landmarks Phase 1 Phase 2 Phase 3 Phase 4 Phase 5 Milford Corporate Limits Seward County Parcels 		<h2>Milford Trail Plan</h2> <h3>Milford, Nebraska</h3> <p>map not to scale</p>	<p>Created By: SMS Date: 5/30/2014 Software: ArcGIS 10.2 File: 120090</p>  <p>This map was prepared using information from record drawings supplied by JEO and/or other applicable city, county, federal, or public or private entities. JEO does not guarantee the accuracy of this map or the information used to prepare this map. This is not a scaled plot.</p>
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Figure 3: Trail Phasing

OPINION OF COST

The opinion of costs are based on several assumptions. These projected costs are based on 2014 estimates, and it is suggested such estimates will inflate by nearly 3% each year. The costs are assuming the trail will be constructed of 6" concrete and include earthwork, subgrade preparation, necessary drainage infrastructure, signs, seeding, mulching, etc. The following explanations to the engineer's opinion of cost are offered and a more detailed study is required at the time construction documents are prepared:

- Estimate is based on a 10' wide trail. If federal or RTP funds are anticipated, they would likely require justification for not constructing a 10' trail. Where there are specific design constraints significantly impacting cost, an 8' trail may be justified.
- The likelihood of NDOR allowing the trail to be constructed in their ROW is low. Seward County may allow trail construction within the right-of-way. Therefore, ROW/Easements would likely be needed for a majority of Phase 5 improvements. The estimate does not include any acquisition costs for any of the phases.
- The estimate does not include any acquisition costs for any of the phases.
- The proposed railroad undercrossing involves many unknowns to fully provide an estimated cost. Cooperation with the railroad may be a larger issue. At this time it is not known if the old box structure was filled in and with what type of material, and if the structure is structurally sound. Therefore, further investigation and an engineering study are required.
- Opinion of costs are prepared per phase/segment for funding purposes.
- The cost is slightly lower for bridge widening (per linear foot) than construction of new pedestrian bridges, but agency coordination with NDOR, County, and the city may dictate the preferred method.



**OPINION OF COST
MILFORD TRAIL PLAN
MILFORD, NEBRASKA**

**JEO PROJECT NO. 120090.00
July 2014**

ITEM NO.	UNIT	DESCRIPTION	QUANTITY	UNIT PRICE	TOTAL
Milford Trail Plan - Phase 1					
1-1	LS	Mobilization	1.00	\$70,910.00	\$ 70,910.00
1-2	ACRE	General Clearing & Grubbing	6.00	\$2,500.00	\$ 15,000.00
1-3	CY	Earthwork	24,884.00	\$9.00	\$ 223,960.00
1-4	SY	Concrete Class 47B-3500 Sidewalk	504.00	\$50.00	\$ 25,200.00
1-5	SF	Detectable Warning Panel	420.00	\$35.00	\$ 14,700.00
1-6	SY	6" Concrete Class 47B-3500 Trail	13,824.00	\$40.00	\$ 552,960.00
1-8	SY	Subgrade Preparation	19,354.00	\$2.00	\$ 38,710.00
1-14	EACH	Signs	10.00	\$140.00	\$ 1,400.00
1-15	ACRE	Seeding	6.00	\$1,500.00	\$ 9,000.00
1-16	TON	Mulch	12.00	\$450.00	\$ 5,400.00
Subtotal Construction Cost					\$ 957,240.00
Misc. Contingency @ 15%					\$ 143,590.00
Engineering & Construction Administration @ 20%					\$ 220,170.00
TOTAL PHASE 1 ESTIMATE					\$ 1,321,000.00
Milford Trail Plan - Phase 2					
2-1	LS	Mobilization	1.00	\$61,640.00	\$ 61,640.00
2-2	ACRE	General Clearing & Grubbing	5.00	\$2,500.00	\$ 12,500.00
2-3	CY	Earthwork	21,378.00	\$9.00	\$ 192,400.00
2-4	SY	Concrete Class 47B-3500 Sidewalk	168.00	\$50.00	\$ 8,400.00
2-5	SF	Detectable Warning Panel	140.00	\$35.00	\$ 4,900.00
2-6	SY	6" Concrete Class 47B-3500 Trail	11,877.00	\$40.00	\$ 475,080.00
2-7	SY	Subgrade Stabilization	778.00	\$7.00	\$ 5,450.00
2-8	SY	Subgrade Preparation	16,627.00	\$2.00	\$ 33,250.00
2-10	EACH	20'x8'x5' Concrete Box Culvert	1.00	\$25,137.00	\$ 25,140.00
2-14	EACH	Signs	10.00	\$140.00	\$ 1,400.00
2-15	ACRE	Seeding	5.00	\$1,500.00	\$ 7,500.00
2-16	TON	Mulch	10.00	\$450.00	\$ 4,500.00
Subtotal Construction Cost					\$ 832,160.00
Misc. Contingency @ 15%					\$ 124,820.00
Engineering & Construction Administration @ 20%					\$ 191,400.00
TOTAL PHASE 2 ESTIMATE					\$ 1,148,380.00



**OPINION OF COST
MILFORD TRAIL PLAN
MILFORD, NEBRASKA**

**JEO PROJECT NO. 120090.00
July 2014**

ITEM NO.	UNIT	DESCRIPTION	QUANTITY	UNIT PRICE	TOTAL
Milford Trail Plan - Phase 3					
3-1	LS	Mobilization	1.00	\$28,540.00	\$ 28,540.00
3-2	ACRE	General Clearing & Grubbing	2.00	\$2,500.00	\$ 5,000.00
3-3	CY	Earthwork	10,182.00	\$9.00	\$ 91,640.00
3-4	SY	Concrete Class 47B-3500 Sidewalk	48.00	\$50.00	\$ 2,400.00
3-5	SF	Detectable Warning Panel	40.00	\$35.00	\$ 1,400.00
3-6	SY	6" Concrete Class 47B-3500 Trail	5,657.00	\$40.00	\$ 226,280.00
3-8	SY	Subgrade Preparation	7,919.00	\$2.00	\$ 15,840.00
3-9	EACH	60" Reinforced Concrete Pipe Culvert	1.00	\$7,930.00	\$ 7,930.00
3-14	EACH	Signs	10.00	\$140.00	\$ 1,400.00
3-15	ACRE	Seeding	2.00	\$1,500.00	\$ 3,000.00
3-16	TON	Mulch	4.00	\$450.00	\$ 1,800.00
Subtotal Construction Cost					\$ 385,230.00
Misc. Contingency @ 15%					\$ 57,780.00
Engineering & Construction Administration @ 20%					\$ 88,600.00
TOTAL PHASE 3 ESTIMATE					\$ 531,610.00
Milford Trail Plan - Phase 4					
4-1	LS	Mobilization	1.00	\$26,420.00	\$ 26,420.00
4-2	ACRE	General Clearing & Grubbing	1.00	\$2,500.00	\$ 2,500.00
4-3	CY	Earthwork	5,534.00	\$9.00	\$ 49,810.00
4-4	SY	Concrete Class 47B-3500 Sidewalk	96.00	\$50.00	\$ 4,800.00
4-5	SF	Detectable Warning Panel	80.00	\$35.00	\$ 2,800.00
4-6	SY	6" Concrete Class 47B-3500 Trail	3,074.00	\$40.00	\$ 122,960.00
4-7	SY	Subgrade Stabilization	0.00	\$7.00	\$ -
4-8	SY	Subgrade Preparation	4,304.00	\$2.00	\$ 8,610.00
4-11	LF	Pedestrian Bridge	90.00	\$1,500.00	\$ 135,000.00
4-14	EACH	Signs	10.00	\$140.00	\$ 1,400.00
4-15	ACRE	Seeding	1.00	\$1,500.00	\$ 1,500.00
4-16	TON	Mulch	2.00	\$450.00	\$ 900.00
Subtotal Construction Cost					\$ 356,700.00
Misc. Contingency @ 15%					\$ 53,510.00
Engineering & Construction Administration @ 20%					\$ 82,040.00
TOTAL PHASE 4 ESTIMATE					\$ 492,250.00



**OPINION OF COST
MILFORD TRAIL PLAN
MILFORD, NEBRASKA**

JEO PROJECT NO. 120090.00

July 2014

ITEM NO.	UNIT	DESCRIPTION	QUANTITY	UNIT PRICE	TOTAL
Milford Trail Plan - Phases 1-5					
1	LS	Mobilization	1.00	\$333,660.00	\$ 333,660.00
2	ACRE	General Clearing & Grubbing	22.00	\$2,500.00	\$ 55,000.00
3	CY	Earthwork	94,330.00	\$9.00	\$ 848,970.00
4	SY	Concrete Class 47B-3500 Sidewalk	936.00	\$50.00	\$ 46,800.00
5	SF	Detectable Warning Panel	780.00	\$35.00	\$ 27,300.00
6	SY	6" Concrete Class 47B-3500 Trail	52,406.00	\$40.00	\$ 2,096,240.00
7	SY	Subgrade Stabilization	778.00	\$7.00	\$ 5,450.00
8	SY	Subgrade Preparation	73,368.00	\$2.00	\$ 146,740.00
9	EACH	60" Reinforced Concrete Pipe Culvert	1.00	\$7,930.00	\$ 7,930.00
10	EACH	20'x8'x5' Concrete Box Culvert	1.00	\$25,137.00	\$ 25,140.00
11	LF	Pedestrian Bridge	90.00	\$1,500.00	\$ 135,000.00
12	LF	Bridge Widening For Trail	472.00	\$1,200.00	\$ 566,400.00
13	EACH	At-Grade Railroad Crossing	2.00	\$75,000.00	\$ 150,000.00
14	EACH	Signs	50.00	\$140.00	\$ 7,000.00
15	ACRE	Seeding	22.00	\$1,500.00	\$ 33,000.00
16	TON	Mulch	44.00	\$450.00	\$ 19,800.00
Subtotal Construction Cost					\$ 4,504,430.00
Misc. Contingency @ 15%					\$ 675,660.00
Engineering & Construction Administration @ 20%					\$ 1,036,020.00
TOTAL PLAN ESTIMATE					\$ 6,216,110.00
			PHASE 1 ESTIMATE		\$ 1,321,000.00
			PHASE 2 ESTIMATE		\$ 1,148,380.00
			PHASE 3 ESTIMATE		\$ 531,610.00
			PHASE 4 ESTIMATE		\$ 492,250.00

TRAIL FUNDING

Funding for trail programs can be difficult to find; but with time, dedication, and hard work, the city can make this trail system a reality. One single source of money will not make the trail system successful, nor should the city expend all its energy and try for one type of funding type. There should be a mix of federal, state, local private and public funds in order to make this trail project an actuality. The small donations from a local organization or resident is just as important as government and corporate funding. Likewise, the community must have “buy-in” to the trail project(s) and the city must have an active role in promotion of the proposed trail system in order to attract financial support.

Funding sources usually consist of grants, donations, fundraising, corporate sponsorships, federal aid, state aid, and local community aid. The labor force to complete the trail can be volunteers, park and trail committees, youth groups, and community service workers and would potentially decrease the costs significantly. Having cooperative agreements between many sources will create the ownership necessary from the people involved and make the project successful. The following descriptions are suggestions of where to look and apply for funding. The list is not an all-inclusive list and further research could identify more opportunities in the life of the trail system project.

Community Development Assistance Act

The Community Development Assistance Act (CDAA) was created in 1985 by the Nebraska Legislature to encourage financial support by businesses to community betterment organizations in their efforts to implement community service and development projects in chronic economically distressed areas.

CDAA empowers the Department of Economic Development to distribute a 40 percent state tax credit to businesses, corporations, insurance firms or financial institutions or individuals that make eligible contributions of cash, services or materials to approved community betterment projects.

Five types of projects may qualify through the program. Eligible projects include, employment training, human and medical services, physical facility and neighborhood development services, recreational and educational activities and crime prevention.

More information: <http://www.neded.org/content/view/97/227/>

Schedule: No deadline.

General Obligation Bonds

General Obligation (GO) bonds are backed by property taxes, and are issued by the City for a wide array of community betterment projects. Second Class Cities: See Section 18-501 of the Nebraska Revised Statutes

For more information, go to:

<http://law.justia.com/codes/nebraska/2009/Chapter18/18-501.html>

Land and Water Conservation Fund

The Land and Water Conservation Fund (LWCF) Act of 1965 seeks to provide outdoor recreation opportunities for all Americans. Funding is made available through royalty revenues from offshore leasing contracts with mineral extracting companies. Nebraska appropriates 60% of the fund for local subdivision recreation projects and retains 40% of the fund for statewide projects within the State Park System. As required by Congress, proposed recreation projects must be in accordance with the State Comprehensive Outdoor Recreation Plan (SCORP). The reimbursable program provides grants for up to 50% of project costs. Local governments/ political subdivisions must assure the Nebraska Game and Parks Commission that they have the financial resources to complete and maintain projects in desired operations and settings. Examples of eligible projects include playgrounds, ball fields, soccer fields, picnicking facilities, camping facilities, golf courses, tennis courts, shelters, acquisition and development, and related support facilities.

More information: <http://outdoornebraska.ne.gov/Parks/programs/lwcf/pdf/LWCF%20App%202011.pdf>

Schedule: October 1st deadline.

Local Option Sales Tax

Any Nebraska county or incorporated municipality may impose a local sales and use tax upon approval by a majority of their voters in a regular election. The local tax applies to the identical transactions subject to the state sales and use tax, with the exception of direct-to-home satellite programming. Local option taxes of 0.5¢, 1¢, and 1.5¢ may be approved by city or county voters. The tax is collected and remitted to the state and is then allocated back to the municipalities after deducting the amount of refunds made and a three percent administrative fee.

Effective July 19, 2012 and pursuant to LB357, municipalities may, with voter approval a sales and use tax equal to 1.75¢ to 2.0¢. The proceeds from the rate in excess of 1.5¢ shall be used for public infrastructure projects or voter-approved infrastructure related to an economic development program as defined in section 18-2705. Public infrastructure project means and includes, but is not limited to, any of the following projects, or any combination thereof: Public highways and bridges and municipal roads, streets, bridges, and sidewalks; solid waste management facilities; wastewater, storm water, and water treatment works and systems, water distribution facilities, and water resources projects, including, but not limited to, pumping stations, transmission lines, and mains and their appurtenances; hazardous waste disposal systems; resource recovery systems; airports; port facilities; buildings and capital equipment used in the operation of municipal government; convention and tourism facilities; redevelopment projects as defined in section 18-2103; mass transit and other transportation systems, including parking facilities; and equipment necessary for the provision of municipal services.

No municipal sales and use tax shall be imposed at a rate greater than one and one-half percent or increased to a rate greater than one and one-half percent unless the municipality is a party to an interlocal agreement pursuant to the Interlocal Cooperation Act or a joint public agency agreement pursuant to the Joint Public Agency Act with a political subdivision within the municipality or the county in which the municipality is located creating a separate legal or administrative entity relating to a public infrastructure project.

For more information, go to:

<http://law.justia.com/codes/nebraska/2013/chapter-77/statute-77-27-142/>

Milford currently has a 1¢ voter enacted local option sales tax.

According to the Nebraska Department of Revenue, the net taxable sales for seven over the past seven years were:

Year	Net Taxable Sales
2007	\$14,467,354
2008	\$15,481,029
2009	\$15,988,360
2010	\$17,793,224
2011	\$17,913,159
2012	\$17,133,737
2013	\$17,389,487

7-Year Average	\$16,595,193
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Using the seven year average, the city could reasonably expect to raise the following revenues, assuming the voters enact a local option sales tax:

Sales Tax Rate	Sales Tax Revenues
0.5¢	\$82,975

If 100% of these sales tax proceeds were dedicated to the repayment of a municipal bond, the city could municipal bonds. Please consult the city's fiscal agent for more details.

MAP-21 Transportation Alternatives Program – Federal (TE & Safe Routes to School)

MAP---21 combines previous biking and walking funding programs – Transportation Enhancements (TE), Safe Routes to School and Recreational Trails – into one program: Transportation Alternatives. Funding for the Recreational Trails Program is taken off the top, then remaining TA funding is divided up into two equal pots: 50% will be distributed by the state DOT through a competitive grant process and 50% will be distributed according to the share of population with the state. MPOs with populations greater than 200,000 will administer their own grant process; the other communities will be funded through the state DOT's grant process.

NDOR is currently developing new application and selection process; anticipate taking applications Summer, 2014. At this time environmental mitigation is not an eligible category.

NDOR's goal with Federal funded projects is to prioritize larger projects over smaller projects. Minimum grant is expected to be \$500,000. This will require a local match of \$125,000.

Private/Charitable Foundation

Private/charitable foundations are legal entities set up by an individual, a family or a group of individuals, for a purpose such as philanthropy. The Lincoln Community Foundation Fund, Wood Charitable Trust, and the Ethel S. Abbott Charitable Trust are examples of such a foundation.

Recreational Trails Program

The Nebraska Game and Parks Commission administers the Recreational Trails Program (RTP) on behalf of the Federal Highway Administration. This fund uses refunds of fuel taxes paid by off-road recreational vehicles. 30% of the funding is dedicated to motorized trails, 30% of the funding is dedicated to non-motorized trails and the remaining 40% of the funding is dedicated to diversified use trails. Each grant is up to an 80/20 match, where the political subdivision must come up with 20% of the costs for the project. Examples of eligible projects include construction of recreational trails, acquisition of land for trails, bridges for trails, support facilities such as trailheads, parking, and restrooms.

More information: <http://outdoornebraska.ne.gov/parks/programs/grants/trailgrants.asp>
Schedule: October 1st deadline.

Special Assessment Districts

Certain improvements, such as parking lots and sidewalk improvements can be financed by special assessments. This method of financing is a tax upon a property owner for a portion of the costs incurred by the City for a particular improvement.

Second Class Cities: See Section 17-507 – 17-541, 17-703 of the Nebraska Revised Statutes.

For more information, go to: <http://law.justia.com/codes/nebraska/2013/chapter-17/>

Tax Increment Financing

Tax Increment Financing (TIF) is a tool that encourages private development in areas experiencing blight and disinvestments, typically areas in or near downtown. A TIF program provides a method for financing public costs associated with a private development project by using the projected increase in property tax revenue resulting from the private development. TIF bonds allow the developer to retire the “public costs” over a period of 15 years. During the time the bonds are outstanding, each taxing jurisdiction receives its original share of tax revenue or “pre-TIF project tax revenues.” The advantage of TIF is that it enables a local government to borrow against future tax revenues generated by a redevelopment project. See Section 18-2101 through 18-2154 of the Nebraska Revised Statutes.

For more information, go to:
<http://law.justia.com/codes/nebraska/2013/chapter-18/statute-18-2116/>

Upper Big Blue Natural Resources District

The Upper Big Blue Natural Resources District has numerous cost-sharing programs to assist local government with developing an awareness and concern for natural resource conservation and management. Contact the Upper Big Blue Natural Resources District to discuss individual projects